





Class HS 442

Book .T8 L86

Copyright N^o

COPYRIGHT DEPOSIT.

MASONIC TRIALS.

A TREATISE

UPON THE

LAW AND PRACTICE OF MASONIC TRIALS

IN THE LODGE,

CHAPTER AND COMMANDERY,

WITH FORMS AND PRECEDENTS.

CONTAINING ALSO

THE CONSTITUTIONS AND EDICTS OF THE GENERAL GRAND
BODIES; THE ANCIENT LANDMARKS; ANCIENT CON-
STITUTIONS, CHARGES, AND REGULATIONS, AND
AN APPENDIX OF GENERAL FORMS.

BY

HENRY M. LOOK,

PAST MASTER; G. V. AND L. OF MICHIGAN; F. T.

NEW YORK:

MACOY PUBLISHING AND MASONIC SUPPLY CO.

1902.

HS442
T8486

THE LIBRARY OF
CONGRESS.
ONE COPY RECEIVED
AUG. 10 1903
COPYRIGHT ENTRY
Nov. 12-1902
CLASS & XXa. No.
45889
COPY B.



© 1902 Macoy Pub. and Masonic Supply Co.
© 1902 Macoy Pub. and Masonic Supply Co.
© 1902 Macoy Pub. and Masonic Supply Co.

© 1902 Macoy Pub. and Masonic Supply Co.
© 1902 Macoy Pub. and Masonic Supply Co.
© 1902 Macoy Pub. and Masonic Supply Co.

M. E. L. 2011/09

CONTENTS.



	PAGE
PREFACE.....	7

TRIAL IN THE LODGE.

PRELIMINARY CHAPTER	11
I. OF THE OFFENCE.....	15
II. OF THE TRIBUNAL	21
III. OF THE JURISDICTION.....	27
IV. OF THE CHARGES.....	32
V. OF THE ANSWER	44
VI. OF THE PROOFS	51
VII. OF THE ARGUMENT.....	62
VIII. OF THE DELIBERATION.....	65
IX. OF THE JUDGMENT.....	68
X. OF THE PENALTY.....	71
XI. OF APPEALS.....	84
XII. OF NEW TRIALS	101
XIII. OF RESTORATION.....	106
XIV. OF GRAND LODGE TRIALS.....	117
XV. POWERS OF THE GRAND MASTER IN TRIALS AND APPEALS.....	129

TRIAL IN THE CHAPTER.

	PAGE
I. THE OFFENCE.....	142
II. THE TRIBUNAL.....	142
III. THE JURISDICTION.....	144
IV. CHARGES AND ANSWER.....	144
V. THE PROOFS.....	148
VI. JUDGMENT AND SENTENCE.....	149
VII. APPEALS	150
VIII. RESTORATION	152
CONSTITUTION OF GENERAL GRAND CHAPTER....	155
GENERAL USAGES AND REGULATIONS OF ROYAL ARCH MASONRY.....	173

TRIAL IN THE COMMANDERY.

CONSTITUTION OF GRAND ENCAMPMENT OF THE UNITED STATES	213
EDICTS AND DECISIONS OF GRAND ENCAMPMENT.	241
KNIGHTS TEMPLAR COSTUME	250
ANCIENT LANDMARKS OF FREEMASONRY.....	254
ANCIENT CONSTITUTIONS.....	266
CHARGES OF A FREEMASON.....	276
GENERAL REGULATIONS.....	285
MASONIC CALENDAR.....	302
APPENDIX OF GENERAL FORMS.....	305
LODGE.....	305
CHAPTER	313
COMMANDERY	322
GENERAL INDEX.....	327

PREFACE.

IN presenting to the Masonic Fraternity a treatise upon the LAW AND PRACTICE OF MASONIC TRIALS, I have attempted to supply what every intelligent craftsman has long felt to be an absolute *necessity*. Established system is everywhere necessary; and especially is it essential in the administration of justice. To aid in securing this most important result in the adjudication of Masonic causes, and to systematize, to some extent, the modes of practice and procedure in Masonic tribunals, is the object of this volume. By a general adherence to a uniform practice in the conduct of trials in the subordinate tribunals, a majority of the appeals which annually go up to the Grand Bodies, to engross their time and encumber their records, would undoubtedly be prevented; for by far the greater number of them are made for irregularity in practice, and not upon the merits.

The FORMS laid down in this work constitute one of its most important features. They have been prepared with great care, and have been made to conform to the most reliable precedents.

No allusion is made to the subject of trials in a Council of Royal and Select Masters, for the reason that prosecutions are of such extremely rare occurrence in that body. All the objects of a trial in the Council can be readily reached by charges in either the Lodge, Chapter, or Commandery; and besides, should a trial ever occur in the Council, the rules of practice which apply in the Chapter could be so readily adapted to the Council, that any separate consideration of Council trials would seem entirely unnecessary.

A plain and practical application of the principles of Masonic jurisprudence to the judicial affairs of the Order, has been my sole aim in the preparation of this work; and hence all rhetorical effects have been studiously avoided, as being entirely out of place in a treatise of this nature.

The Ancient Landmarks, Constitutions, Charges, and Regulations, I have deemed an indispensable adjunct to a commentary upon Masonic trials.

An enumeration of the authorities that have been consulted, and of the almost innumerable literary and Masonic favors that have been done me by various distinguished brethren during the preparation of the work, would be unsatisfactory unless general, and if general, so voluminous as to be tiresome.

And now into the hands of the Brethren, Companions, and Sir Knights of the United States, I commit the fruit of a season of pleasant labor, with the hope that that labor shall prove to have been not

altogether in vain. Some of the subjects here treated are surrounded with peculiar difficulties. To assume that they have all been handled without error, would be to claim what no mortal ever yet achieved. I only ask for this volume such favorable judgment as you, my Brethren, after impartial examination, shall deem it justly merits. I especially request that you will not base your opinion upon a few detached paragraphs, or a single chapter, but judge of it as a whole. The arch is never complete until the key-stone is in place; and no book can be properly judged until its last chapter is read, and compared with all that precede it, that the complete idea of the writer may appear.

HENRY M. LOOK.

PONTIAC, MICH.

MASONIC TRIALS.

TRIAL IN THE LODGE.

PRELIMINARY CHAPTER.

THIS work is not designed as a commentary upon the general system of Masonic Jurisprudence, but upon a particular department of that system. It is to the *Law of Masonic Offences*, and of *Practice and Procedure in Masonic Trials*, that the author will confine his present inquiries; and in this field he designs to be as concise as shall be consistent with thoroughness. As incident to the main subject, he must necessarily treat of all those principles, rules, forms, and proceedings which relate to the Offence, the Tribunal, the Trial, and the Punishment.

While a multitude of books have been written upon Masonic Law, the subject of *Masonic Trials* has never been treated in detail. The powers of Lodges and of Grand Lodges, the prerogatives of Masters and Wardens, the qualifications of candidates, and all questions of executive and legislative policy, have been elaborately and ably considered, while this vastly important and interesting department has been scarcely touched. It

has generally been disposed of in a single chapter, occupying, in some instances, but a single page.

As a consequence, the most painful uncertainty and confusion have prevailed in the conduct of Masonic trials. No settled system of practice and procedure has been adhered to, for the reason that there has been no systematic treatise upon the subject. Yet there is no portion of our system upon which more vital interests depend than this, for upon the proper administration of Masonic justice hang the honor and well-being of the Order. To this end a full understanding of the nature and definition of Masonic offences is not alone necessary; settled rules of practice and procedure, and well-defined forms and precedents, as well as a knowledge of the rules of evidence and methods of proof, are also required.

It is therefore with a view to systematize, in some degree, our Masonic Judiciary, by placing in the hands of the craft a convenient book of reference in this regard, that this treatise is undertaken. No attempt will be made to press the individual opinions of the author, except as they shall be sustained by established law and usage. No principle or rule will be asserted except upon authority of the ablest authors, or the decision of the highest Masonic tribunals. To collect, collate, and reduce to some definite form and order that learning which is now floating here and there in indiscriminate fragments, will be the main object of the writer.

The same fundamental principles of law, and the same general methods of procedure which govern a

trial in the Lodge, govern it in the Chapter and the Commandery; for as the present system of the York Rite in this country compels every member of the Fraternity to commence his knowledge of the institution with the teachings of the Symbolic or first three degrees (which are the foundation-stones), it has been deemed wisdom by all Masonic jurists, that the same rules which should govern a Lodge in the particulars above alluded to, should also prevail in all other branches of the rite. Hence the analogies of that system, varied only so far as the peculiarities of each particular body may require, apply to a Masonic trial in every organization under the York Rite.

For this reason a full and systematic treatment of all the features of a trial as it occurs in the Lodge will be sufficient; it being only necessary, in remarking upon trials in the higher bodies, to specify those points in which a trial in the body above differs from one in the body below, at the same time giving full forms and specific directions, with all the particular legislation governing each class of cases, and referring for elementary principles to the more extended commentary upon trials in the Lodge.

In discussing *Trials in the Lodge*, the subject naturally falls into the following order, and will accordingly be so treated, viz. :—

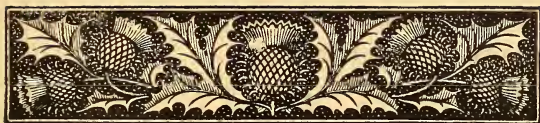
1. OF THE OFFENCE.
2. OF THE TRIBUNAL.
3. OF THE JURISDICTION.
4. OF THE CHARGES.

5. OF THE ANSWER.
6. OF THE PROOFS.
7. OF THE ARGUMENT.
8. OF THE DELIBERATION.
9. OF THE JUDGMENT.
10. OF THE PENALTY.
11. OF APPEALS.
12. OF NEW TRIALS.
13. OF RESTORATION.
14. OF GRAND LODGE TRIALS.
15. OF THE POWERS OF THE GRAND MASTER IN
TRIALS AND APPEALS.

All the *forms* necessary to be used in the course of trials in either the Lodge, Chapter, or Commandery, are inserted in their appropriate connection in the body of the work. The advantage of their being thus placed in immediate connection with the text will, it is believed, be apparent to every one.

The forms appertaining to the general business of the Lodge will be found in the Appendix.





L.

OF THE OFFENCE.

EVERY violation by a Mason of his Masonic covenants, or of the established laws, usages, and customs of the fraternity; every violation of the moral law, and every violation of the laws of the land, involving moral turpitude, is a Masonic offence, for which the offender may, upon due conviction, be subjected to such lawful punishment as the tribunal having jurisdiction in the case shall adjudge.

But Masonry will not take cognizance of those offences which are merely ecclesiastical or political in their nature, because, as an institution, she ignores all sectarian opinions and controversies, and all questions of state policy. She recognizes every *de facto* government, gives the freest latitude to partisan and political sentiment, and dwells a peaceful subject under the flag of every civilized nation upon earth. She accords the same freedom to every man's religious opinions, so long as he acknowledges the existence and sovereignty of God, and yields a practical obedience to the moral

law ; *but that limit he must not pass*, under penalty of banishment from the Society.

Therefore, heresy, schism, and apostasy are not Masonic offences, unless they amount to a violation of one or more of the three great duties which a Mason owes to his God, his neighbor, and himself. Neither are treason and rebellion, in and of themselves, subjects of Masonic discipline, for the reason that they are of a purely political character. It was this principle, which has been so long settled and so universally adhered to, that saved from dissolution the Lodges of England, France, and Germany, during their intestine struggles, and the various Colonial Lodges during the American Revolution. Otherwise every Mason in the United Colonies in 1776 would have been subject to expulsion, and every Lodge to a forfeiture of its warrant by the Grand Lodges of England, Scotland, and Ireland, under whose jurisdiction they were at the time. The spirit of Freemasonry dwells in a region above and beyond the ambition of kings and the craft of politicians ; in a region where mere forms of civil or political government are unheeded, where the wrangling of parties is not heard, and the sound of battle never comes. Yet disloyalty and rebellion are always to be discountenanced, and every Mason is enjoined to "conform with cheerfulness to the government of the country in which he lives." (See the Ancient Charges of 1722, No. 2.)

Masonry will not take cognizance of a breach of contract or agreement between a Mason and a profane, nor between one Mason and another, unless involving moral turpitude in the offender. Masonic tribunals do not assume to adjust mere legal rights, pecuniary or otherwise.

A violation of the municipal law, or the law of the land, is a Masonic offence, provided it be *malum in se*, and not merely *malum prohibitum*—it must be an evil in itself, and not merely wrong because prohibited by law. For instance, murder, arson, assault, larceny, adultery, forgery, and counterfeiting, are Masonic offences, because they are not only violations of the law governing civil society, but are also evils in themselves. But a violation of the game-laws, practising a profession without license, or issuing unstamped notes or receipts, although in direct violation of the public statutes, are offences of which Masonry will take no cognizance, for the reason that they are only *mala prohibita*.

Masonry punishes certain public crimes and misdemeanors, not because they are violations of the law of the land, but because they are violations of the law of Masonry. The Masonic tribunals do not assume, in any sense, to administer the public criminal code. Our Masonic Criminal Jurisprudence is based solely upon the peculiar laws and landmarks of the Masonic institution, and upon that sublime system of morality given by God Himself.

An attorney at law, who is a Mason, is not chargeable with unmasonic conduct if, in instituting proceedings against a brother, whether affilant or non-affilant, he fails to forewarn the brother of the same. He has no right to prejudice the lawful interests of his client, which might be the result in numerous cases, if the opposite rule should prevail. There is no rule of Masonic usage which prohibits a Mason, who is an attorney, from taking a fee and conducting a suit or prosecution against a brother Master Mason. A Master Mason is not bound, in any instance, to protect or shield a brother in wrong or dishonesty, especially in crime.

The following are some (but by no means all) of the more flagrant Masonic offences, viz. :

All public crimes and misdemeanors involving moral turpitude ;

Gambling and profligacy ;

Drunkenness ;

Profanity and blasphemy ;

Slander and backbiting ;

Fighting and brawling ;

Duelling ;

Improper revelations ;

Undue solicitations for candidates ;

Over-zealous arguments with the enemies of Masonry ;

Disobedience of those in authority, or contemptuous language toward them ;

Expression of contemptuous opinions of the institution of Masonry ;

All countenance of impostors ;

Masonic communion with clandestine Masons ;

Visiting irregular or clandestine Lodges ;

Unseemly conduct in the Lodge ;

Abuse of the ballot ;

Malfeasance in office ;

Defrauding or wronging a Mason, or a Masonic Lodge ;

Adultery, and all lascivious association, whether with the relative of a Master Mason, or with a stranger ;

Any violation whatever of the technical parts or points of the several Masonic obligations ;

Violation of the particular injunctions of the ritual, or of any of the Landmarks of Masonry ;

Violation of the Constitution, laws, edicts, rules, by-laws, or regulations of the Grand Lodge, or of a Subordinate Lodge, by a member thereof ;

Visiting, or attempting to visit, a Lodge, while under sentence of suspension or expulsion ;

Use of intoxicating liquors in Lodge-rooms, or at Lodge communications ;

Non-payment of dues ;

Cruel treatment of wife, child, or other member of one's family ;

Inhumanity to inferiors and dependents, whether Masons or not ;

Contempt for God and religion ;
Atheism.

Other particular Masonic offences might be specified almost without limit, but the general rules and principles already laid down, with the various specifications given, will, we think, be sufficient to enable any brother having a tolerable knowledge of those fundamental ideas upon which our Masonic institution is based, to determine at once whether any given act is or is not a Masonic offence.





II.

OF THE TRIBUNAL.

NONE but a strictly Masonic tribunal can take judicial cognizance of a Masonic offence. The only judicial tribunals known in Ancient Craft Masonry, are Lodges and Grand Lodges. True, the Grand Master and the Master have certain important prerogatives, some of them of a semi-judicial nature, which they may exercise in the course of a trial, or when the regular body is not in session; but every act which either of them may perform in that behalf is subject to review by the superior body whose instrument they are, namely, the Grand Lodge. Whatever action either of them may take in his single official capacity, as touching a *Masonic trial*, is only of a preliminary, incidental, or interlocutory character. It does not and cannot reach the merits of the case. He cannot *adjudicate* as to the question of *guilt* or *innocence*, for *he is not the tribunal itself, but only the presiding head of the tribunal*. The complete judicial power is vested only in the Lodge or

the Grand Lodge; the Grand Lodge being the court of dernier resort.

The judicial powers of Chapters and Commanderies will be considered when the subject of trials in those bodies is reached.

A Lodge must be regularly chartered and duly constituted, its officers elected and installed, and in all respects a regular working Lodge, before it can hear or determine a Masonic trial. Lodges under dispensation have no judicial powers except such as are expressed; their authority being strictly limited by the terms of the dispensation under which they work.

Charges cannot be presented nor received, nor any proceedings taken, in a Masonic trial, by a Lodge, at any other than a regular communication, and the Lodge must be open upon the highest degree to which the accused has attained in said body. The trial must begin at a regular communication; but after it is thus begun it may continue at special communications called for that purpose, which would, in such case, be considered only as a continuation of the regular. Some authors hold that the trial may begin at a special communication called for that purpose, but the weight of authority is in favor of the rule as above stated, and such is the universal practice, except in jurisdictions where, by constitutional provision, or by edict of the Grand Lodge, a different course is authorized. Where

such special legislation prevails, the letter of the law must be strictly followed, or the proceedings will be set aside for irregularity; for it is a maxim of universal application that where the common law, which springs from ancient usage, is varied by subsequent enactment, the statute must be strictly followed.

The presence of visitors ought not to be permitted during any portion of a Masonic trial, and certainly not during the consideration and discussion of the charges.

The Lodge, while sitting for the trial of a cause, is in every sense a judicial body, of which the Master is the presiding head. No business of a general or legislative character should be introduced while the trial is under immediate consideration. Every *member of the Lodge* in good standing is authorized to sit upon the trial, and ought to be present. While so sitting he should remember that he is acting, not in his ordinary Masonic capacity, but as one of a bench of judges. In his hands are placed, for the time being, the dearest and most vital interests of the accused, and every trace of prejudice or partiality should be banished from his breast until the case shall reach its final conclusion. If, on account of any deep personal interest in the case, or any peculiar enlistment of his passions, he thinks himself unable to hear and judge with the strictest impartiality, he should so state; and there-

upon the Lodge may, by vote, excuse him from sitting in the case.

The Master presides at the trial, as at every other Lodge proceeding. He has authority to decide all points of order, and all questions relating to the legality or regularity of any service, paper, or proceeding in the case, to allow or forbid amendments and continuances, to admit or exclude evidence, and control debate. No appeal can be taken from his decision to the Lodge, in case he shall rule erroneously, but he is responsible to the Grand Lodge for any abuse of these powers, as in all other cases. He may take the sense of the Lodge as to each of the matters aforesaid, if he so prefer, but their vote will be only advisory, and the power to decide will still be with himself.

But let it be remembered that the exercise of these powers of the Master cannot be so far extended as to touch the *merits of the case*. His prerogative extends to all incidental matters, but the merits must be left to the main body of the court—namely, the Lodge.

He has power to summon every member of the Lodge in good standing to be present at the trial, which summons the brethren are bound to obey. A wilful disobedience of such summons would subject the offender to discipline, as for any other Masonic offence.

It is also the right of the Worshipful Master to appoint all committees, commissioners, or counsel that

may be required in the course of the trial by Lodge, and to preside at all meetings of said commissioners or committees. The accused may, either in person or by his counsel, object to any appointment so made, and the Master shall decide upon the sufficiency of such objection.

The tribunal must consist solely of Master Masons; and from this rule there can be no departure.

The Master may call any Past Master temporarily to the chair during a trial, and such brother, while in the chair, may exercise all the powers of the Master; he being considered, during that time, the immediate agent of the Master.

In case of the absence, death, or inability of the Master, the Senior Warden succeeds to all his powers and duties. In case of the absence, death, or inability of both the Master and Senior, the Junior Warden succeeds to the chair in like manner. The acts of either of the Wardens are in such case the acts, in legal contemplation, of the Master; the Warden so acting *is*, for the time being, the Master. But if the Master and both Wardens be absent, no Lodge can be opened, nor any proceedings whatever taken. A Warden has no right to call a special communication of the Lodge, open the same, and proceed to business, while his superior is at his home within the jurisdiction of his Lodge, or within such distance as would admit of his speedy notification and attendance; but

any action the Warden may take in any trial or Lodge proceeding by the lawful direction of his superior, will be lawful.

A Past Master cannot open the Lodge and preside unless either the Master or one of the Wardens be present ; nor then without the direction or consent of the proper officer.





III.

OF THE JURISDICTION.

THE penal jurisdiction of a Lodge is that power which it constitutionally possesses to take judicial cognizance of Masonic offences, and to prosecute and punish for the same. This jurisdiction is twofold—*territorial* and *personal*. It is territorial, as existing within certain geographical limits; and personal, as attaching to certain persons, wheresoever they may be dispersed.

The territorial jurisdiction of a Lodge (unless there be special enactment to the contrary, is bounded by the geographical centre between it and contiguous Lodges, except in cities and villages having more than one Lodge, and in case of Lodges adjacent to state lines. Where there are two or more Lodges in any city or village, they have concurrent jurisdiction, extending at least to the limits of such city or village: but in no case does the territorial jurisdiction of a Lodge extend

beyond the boundary of the state ; the political boundaries of the several states being by unanimous acceptance the limits of the several Grand Lodge jurisdictions. A Lodge has penal jurisdiction over all Masons within its territorial limits, whether affiliated or non-affiliated, no matter of what Lodge they may be members. Sojourners, whether affiliated or not, are subject to penal jurisdiction in like manner as other Masons.

The personal jurisdiction of a Lodge extends to every one of its own members, wheresoever he may be upon the face of the globe. The allegiance of a Mason to his own Lodge is indefeasible ; and so long as his membership continues, he is amenable to its laws and subject to its power. Thus a Mason who resides beyond the jurisdiction of his own Lodge is subject to two concurrent jurisdictions, namely, the territorial jurisdiction of the Lodge where he resides, and the personal jurisdiction of his own Lodge. But trial, conviction, and punishment under either of these jurisdictions would exempt him from the like proceedings under the other,—upon the principle that a Mason cannot be twice punished for the same Masonic offence.

But there is one person who is absolutely exempt from the penal jurisdiction of his Lodge. That person is the Master. He cannot be tried by his Lodge. His Lodge cannot resist his orders nor question his authority in its own body. Its only redress is by preferring

charges against him in the Grand Lodge. To that supreme body, and to that alone (or to the Grand Master in the *interim*), he is responsible for his acts while in office. Not only is he exempt from discipline in his own Lodge while in office, but his Lodge cannot, after his retirement from office, try or punish him for any act committed by him while in office. The Grand Lodge holds perpetual jurisdiction over his official term.

The Grand Master, while in office, is also in like manner exempt from the penal jurisdiction of the subordinate Lodge of which he is a member.

Every Lodge has exclusive jurisdiction in all cases of violation of its own by-laws and regulations. This is a portion of its own personal jurisdiction, which never becomes concurrent with that territorial jurisdiction which a foreign Lodge acquires by the residence of a Mason within its limits.

It is customary, in cases where the jurisdiction is territorial merely, to refer the subject-matter to the Lodge of which the offending brother is a member, with the request that he be put upon trial in his own Lodge; yet such reference is merely a matter of courtesy, and may be made or not, as circumstances shall require. But notice should always be given to such Lodge of any proceedings actually taken.

A Lodge has the same jurisdiction over Entered Apprentices and Fellow Crafts that it has over Master Masons. Every Lodge of Master Masons has authority

over all the degrees which it has power to confer; and as it makes Entered Apprentices and Fellow Crafts, it may, upon sufficient cause, try and expel them.

A Mason under sentence of suspension is still subject to the penal jurisdiction of the Lodge. For a repetition of the offence for which he was suspended, or for any other unmasonic conduct, he may be tried, and (if the offence justify it) expelled from all the rights and benefits of Masonry, by the Lodge having jurisdiction over him. It is not necessary that the delinquent be reinstated in order to enable the Lodge to take this action, unless the Grand Lodge shall by positive enactment so provide; for a brother under sentence of suspension is still a Mason. His Masonic relations are not lost nor destroyed, but he is still subject to the penal jurisdiction of his Lodge.

A Mason cannot, by a formal resignation of his membership of the Order, withdraw himself from its covenants or discharge himself from its jurisdiction. He cannot legally sever his Masonic relations by a voluntary withdrawal; and it is in this sense that the maxim, "once a Mason always a Mason," applies.

There are but three ways by which a Mason can be placed beyond the reach of Masonic discipline; namely, by death, by insanity (which is mental death), and by expulsion.

Where a trial is likely to result in expulsion, it should be prosecuted in the Lodge in preference to the

higher bodies, for the reason that a sentence of expulsion in the Lodge has the effect of expelling the culprit from the Lodge itself, and also from all the degrees and bodies of Masonry above the Lodge; whereas the same sentence, if passed by a higher body, would not affect his standing in the Lodge, but only in the body where it was passed, and those above.

The punishment of a Mason for crime by a court of law, will not bar a Masonic prosecution for the same crime. The two jurisdictions are strangers to each other. The legal tribunal, as has been intimated, inflicts a legal punishment for the *public* offence; the Masonic tribunal inflicts a Masonic punishment for the *Masonic* offence.

It is a fixed principle of Masonic law that there is no Masonic wrong without a Masonic remedy. That remedy consists in prosecution and punishment for the wrong committed. The first step in the prosecution is the preferring of charges, which will be **next** considered.





IV.

OF THE CHARGES.

THE preliminary questions as to the Offence, the Tribunal, and the Jurisdiction having been settled, the *Charges* are next to be considered, and will demand our careful and somewhat protracted attention.

The charges (or every portion thereof proper to be written) must always be made in writing, signed by the accuser, filed with the Secretary of the Lodge, and read by that officer at the next regular communication after such filing.

The offence must be charged with clearness and certainty, and time, place, persons, and particulars must be distinctly specified; for every defendant is entitled to know with definiteness the nature and substance of the accusation against him, in order that he may prepare for his defence.

A general charge of unmasonic conduct, without specifications, ought not to be entertained by the Master. Pencil writing, if clear and distinct, *may* be admissible, but as a general rule, in matters of such Masonic importance, it should be excluded. A loose,

vague, and general charge ought not to be received even in writing. If the case appears one of probability, the Master may direct that proper charges be preferred.

Mere oral charges can never be received in any case. Every particular of the offence proper to be written must be embodied, filed, and read in due form, and upon the appearance of the accused those portions improper to be written must be fully stated and explained to him in open Lodge, in order that he, as well as the Lodge, may be particularly informed as to the whole matter.

After the charges have been read as aforesaid by the Secretary they become the property of the Lodge, and they cannot thereafter be amended in either form or substance except upon the order of the Master in open Lodge, upon cause shown. If the charges have not been served upon the accused, they may be amended without notice to him; but no amendment can be made after service of the charges without notice to the accused, or in his presence in open Lodge; for he has the right to appear and oppose the amendment if he so desire. If, by reason of any amendment, additional time be required by either party, the Master may, in his discretion, grant such time as he shall deem proper, in order to enable the parties to prepare for trial upon the charges as amended. It is far better, if the charges be materially defective, to begin the

prosecution *de novo*, by the filing of new charges, than to exercise any doubtful powers of amendment. True, the ruling of the Master, however erroneous, is law for the time being; but in case of review upon appeal to the Grand Lodge, a vast amount of trouble and inconvenience might result from his not being sustained.

Charges for offences committed while the Lodge is at labor, should be introduced by the Senior Warden; those for offences committed at any other time, by the Junior Warden; but should either of said officers neglect to introduce the charges, they may be introduced by any member of the Lodge in good standing.

The charges ought to be preferred by a *member of the Lodge*, whether the By-laws so require or not. Although this is not in all the states an absolute requirement, yet it is the almost universal practice, and by far the better one.

The accuser should be a Master Mason in good standing.

A profane cannot prefer charges against a Mason; neither can a Mason who is under sentence of suspension or expulsion, or non-affiliated.

If facts are known to a profane, or to a Mason not qualified to prefer charges, involving an offence for which charges ought to be introduced, they may be communicated to any Mason who is qualified to prefer charges, and who, upon such information, may prepare

and introduce the charges in due form ; or the Master may instruct one of his Wardens so to do.

If charges are preferred, or complaint made to the Master, against an officer of the Lodge, for unmasonic conduct, the Master may, in his discretion, suspend the accused at once from his office ; and if the offence is an aggravated one, as gross intoxication or immorality, or a high crime or misdemeanor, he ought to do so.

Charges may be preferred against a Mason who is under sentence of suspension, and upon such charges he may be tried by his Lodge for offences committed subsequent to the sentence, or for a repetition of the offence for which he was suspended, and, if found guilty, expelled. It is not necessary that the delinquent be reinstated in order to enable the Lodge to take this action.

The Master has the right, after charges are preferred in writing, and after examining them carefully, to declare them insufficient, and refuse to proceed to trial upon them. He ought not to entertain frivolous charges, or such as do not show clearly, if proven, a Masonic offence.

If he is in doubt as to the sufficiency or competency of charges, it is proper for him to take the opinion of the Lodge upon the subject by a vote ; but such opinion is merely advisory, and is of no legal force upon the Master, who is alone responsible in the

premises. He is acting as the presiding head of a legal tribunal.

The following is a general

FORM OF CHARGES.

To the Worshipful Master, Wardens, and Brethren of.....Lodge, No....., of Free and Accepted Masons.

Brother A. B., a Master Mason (or F. C., or E. A.) of (here state the residence, membership, affiliation, non-affiliation, or other Masonic standing of the accused), is hereby charged with unmasonic conduct, in this—to wit:

Specification 1—That the said A. B., on the....day of...., A. L. 58...., at the town (village or city) of...., in the county of...., state of...., did violently assault and strike Brother C. D.

Specification 2—That the said A. B., on the day and at the place aforesaid, did speak and use toward the said Brother C. D. the following scandalous and insulting language, to wit: (here set out the words used.)

Specification 3—That the said A. B., on the day and at the place aforesaid, did, in presence and hearing of several persons, speak and utter, of and concerning the said Brother C. D., the following slanderous and malicious words, to wit: (here set out the words.)

All of which acts of the said A. B. were in violation of his duties and obligations as a Mason, and to the injury of the said C. D., as well as to the scandal and disgrace of the Masonic fraternity; wherefore it is

demanding that the said A. B. be put upon trial therefor, and dealt with according to Masonic law and usage.

Date....., A. L. 58...

C..... D.....

If the charges are introduced by either of the Wardens, they should sign them in their official capacity.

All names should be written in full, if known. Specifications should be added for each separate state of facts constituting a Masonic offence, with reasonable certainty as to time, place, and other particulars.

FORM OF SPECIFICATIONS FOR DRUNKENNESS.

1. That the said A. B., on the.....day of... .., A. L. 58,..., at...., in the county of...., state of...., was in a state of gross intoxication, from the intemperate use of intoxicating and spirituous liquors.

2. That the said A. B., on the....day of...., A. L. 58...., at...., in the county of...., state of...., and for a long time previous thereto—to wit, for.... years last past, and at divers other places in the said county and state, and notwithstanding the frequent warnings and admonitions of the officers and brethren of this Lodge—was addicted to the excessive use of intoxicating liquors, and to the evil habit of frequent and gross intoxication and drunkenness.

FORM OF SPECIFICATION FOR THEFT.

That the said A. B., on the....day of...., A. L. 58..., at...., in the county of...., state of...., did wilfully steal and take from Brother C. D. (or Mr. C. D.) of...., twenty dollars in money. (If the theft be of other property than money, describe the property.)

FORM OF SPECIFICATION FOR FRAUD.

That the said A. B., on the....day of...., A. L. 58..., at...., in the county of...., state of...., did wilfully cheat, wrong, and defraud Brother C. D. by making to said C. D. certain false and fraudulent representations concerning a certain horse which he then and there sold to the said C. D., and which the said C. D. was by means of said false representations then and there induced to buy, and to pay therefor a large sum of money—to wit, the sum of one hundred dollars; which representations were, that the said horse was sound, true, and kind, when in fact the said horse was not such, as the said A. B. well knew.

Where the offence is non-payment of dues, regular charges must be preferred in the usual manner. A mistaken impression prevails in the minds of many Masons, that for non-payment of dues a brother may be suspended simply by a vote or resolution of the Lodge, without the introduction of charges or any form of trial. Charges must be preferred, and due trial and conviction had, the same as for any other Masonic offence.

No Mason can be in any way punished, nor deprived of any Masonic right or privilege whatsoever, without charges and specifications regularly filed, and due trial and lawful conviction thereupon, with opportunity to the accused to appear and defend.*

FORM OF CHARGES FOR NON-PAYMENT OF DUES.

To the Worshipful Master, Wardens, and Brethren of.....Lodge, No...., of Free and Accepted Masons.

Brother A. B., a Master Mason, and a member of this Lodge, is hereby charged with unmasonic conduct in wilfully violating Section.... of the By-Laws of this Lodge, in this—to wit:

Specification—That the said A. B., being justly indebted to this Lodge for his annual dues, accruing under said section, for the years....and...., and being able to pay the same, has neglected and refused, and still neglects and refuses, to pay the same or any part thereof, although payment of the same has been often demanded.

All of which is in violation of his duties and obligations as a Mason, and to the wrong and injury of this Lodge; wherefore, it is demanded that the said A. B. be put upon his trial therefor, and dealt with according to Masonic law and usage.

Dated....., A. L. 58....

C..... D.....

When charges are preferred for violation of any pro-

* While this is an undoubted and well-established principle of Masonic law, a contrary practice prevails in some jurisdictions.

vision of the Constitution or By-Laws, the article or section violated should be specified with particularity, as well as the facts of the violation.

The charges and specifications having been filed with the Secretary, and read by him at the next regular communication thereafter, a true copy thereof is to be served upon the accused, together with a summons requiring him to appear and answer. A resolution to that effect having been duly passed, it is the duty of the Secretary to make the copy and issue the summons; which summons may be made returnable at any subsequent regular communication, as the Lodge shall determine.

FORM OF SUMMONS, TO BE ACCOMPANIED WITH A COPY
OF THE CHARGES AND SPECIFICATIONS.

To Brother A. B., of.....

You are hereby summoned and required to appear at the regular communication of....Lodge, No..., of Free and Accepted Masons, to be held at its Lodge-room at...., in the county of...., state of...., on the...day of...., A. L. 58..., at.... o'clock P. M., then and there to make answer to charges and specifications now on file against you in said Lodge, a true copy of which charges and specifications is hereto annexed.

Dated....., A. L. 58....

By order of the Lodge,

E.....F, Secretary.

{ Seal
of the
Lodge }

The summons and copy may be served by any Master Mason, but it is the common practice for the Secretary to make the service, unless there are reasons to prevent. The service should be made at least ten days previous to the day of trial (or return) mentioned in the summons, and a written certificate of such service, specifying the time and place thereof, should be filed by the person making the same.

CERTIFICATE OF SERVICE.

I, G. H., do hereby certify that on the... day of..., A. L. 58... at..., in the county of..., state of..., I served personally (or at his last known place of residence) upon Brother A. B. a true copy of the charges and specifications filed against him in....Lodge, No., of Free and Accepted Masons, on the.... day of..., A. L. 58..., by C. D., accompanied by the summons of said Lodge, under the seal thereof, requiring him to appear and answer said charges and specifications at the regular communication of said Lodge, to be held on the.... day of..., A. L. 58...

Dated,.... A. L. 58...

G..... H.....

If the charges and summons are served by the Secretary, he should execute the foregoing certificate in his official capacity.

The service must be personal, if the residence of the accused is known to the Secretary, or can be found upon due inquiry; but if his residence is not known,

or cannot be ascertained, then the service may be at his last known place of residence. When the accused resides beyond the jurisdiction of the Lodge in which the charges are filed, the service may be made by the Secretary of the Lodge within whose jurisdiction the accused resides at the time ; and the certificate of such Secretary, under the seal of his Lodge, is legal evidence of due service.

The foregoing certificate of service can easily be varied so as to meet the case of service by a foreign Secretary, and a copy of the proper certificate should be sent to him in blank, enclosed with the charges and summons, in order that he may execute it under the seal of his Lodge, and return it to be placed on file as evidence of the service made by him.

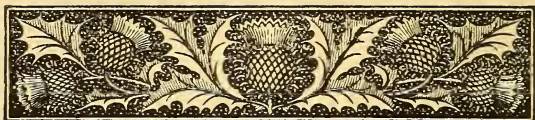
The Lodge should not proceed to trial and judgment upon the charges without some reliable evidence that the charges and specifications have been brought to the personal knowledge of the accused, if his residence is accessible. The mere fact that he has been written to in regard to the matter, or that the charges have been mailed to him, there being no evidence that the letter or charges ever reached him, and no answer being received, is not sufficient. The mails are uncertain. Every Brother has the right to know of the charges against him, and to appear and defend ; and it should be made to appear that the charges and summons were personally served, or that he designedly

avoids service, or that neither his residence nor his whereabouts can be ascertained, before the Lodge proceeds to so important a proceeding as the trial of a Brother for unmasonic conduct. But if an offender wilfully absconds, proceedings may be taken in his absence without notice. In such case, the fact of his absconding should be affirmatively proven.

The accuser may choose any Master Mason as his counsel, to assist in the prosecution. If he does not appear, or chooses no counsel, the Master may appoint such counsel in his discretion ; which counsel must be a Master Mason in good standing.

The *status* of a Mason under charges is not affected until after sentence. He is presumed to be innocent until proven to be guilty ; and he may, at all times before the passing of sentence, vote upon all matters not involved in the charges and specifications **pending** against him.





V.

OF THE ANSWER.

THE charges having been properly served, and the accused duly summoned, it is his duty to appear and answer.

The answer should be in writing. If the accused answer orally, his answer should be reduced to writing by the Secretary, and made a part of the files in the case, so that no misunderstanding may afterward arise as to its exact import.

Before answering as to the merits of the case, the accused may, if he have sufficient grounds, attack the proceedings incidentally. In so doing, he may,

1. Deny the jurisdiction, or
2. Deny the validity or regularity of the charges.

In either case his proposition should be made in writing, and should set forth clearly the grounds upon which it is based. The following forms will sufficiently illustrate this branch of the subject.

FORM OF DENIAL OF JURISDICTION.

To the Worshipful Master, Wardens, and Brethren
of....Lodge, No...., of Free and Accepted Masons.

In the matter of the charges and specifications introduced in said Lodge on the....day of, A. L. 58..., by C. D., against A. B., comes the said A. B. in person (or by Y. Z. his counsel), and denies the jurisdiction of said Lodge in the premises, for the following reasons, to wit:

1. Because the said A. B. did not, at the time of the introduction of said charges and specifications, reside within the territorial jurisdiction of said Lodge; neither was he at that time a member of said Lodge.

2. Because the acts alleged in said charges and specifications, if they were ever committed by the said A. B., were committed before his initiation in any Lodge of Masons.

Wherefore the said A. B. requests that the said charges and specifications be dismissed, and that he be excused from answering thereto.

Dated...., A. L. 58...

A..... B.....

Any other facts which would defeat the jurisdiction should be alleged in like manner. Upon the filing and reading of such denial of jurisdiction, it is the privilege of the accused to introduce, and the duty of the Lodge to receive, any proper proofs of the facts therein alleged; after which they should at once either sustain the jurisdiction or dismiss the case, as Masonic law and usage may require.

If the jurisdiction is sustained, or not denied, the accused may, if he think best, deny the validity or regularity of the charges and specifications.

FORM OF DENIAL OF VALIDITY OR REGULARITY OF THE
CHARGES AND SPECIFICATIONS.

To the Worshipful Master, Wardens and Brethren of....Lodge, No..., of Free and Accepted Masons.

In the matter of the charges and specifications introduced in said Lodge on the...day of...., A. L. 58..., by C. D., against A. B., comes the said A. B. in person (or by Y. Z. his counsel), and denies the validity and regularity of said charges and specifications, for the following reasons—to wit:

1. Because the said C. D., the accuser, by whom said charges and specifications were introduced, was not, at the time of introducing the same, a Master Mason (or was not a Master Mason in good standing, he being then under sentence of suspension [or expulsion] for un-masonic conduct).

2. Because the acts alleged in the said charges and specifications are of a purely sectarian (or political) character, and do not in themselves constitute a Masonic offence.

3. Because the time (or place, or both) of the commission of the acts alleged is not set forth in said charges and specifications with reasonable distinctness.

Wherefore the said A. B. requests that the said charges and specifications be dismissed, and that he be excused from further answering thereto.

Dated...., A. L. 58...

A..... B.....

Under the latter, as under the former denial, the accused may make proof of any matters of fact therein alleged.

If the jurisdiction, and the validity and regularity of the charges and specifications are sustained, or not denied, the accused must then answer as to the merits; and in so doing he may put in either one of four different answers.

1. He may answer "*guilty*," which is an unqualified admission of the entire accusation.

2. He may answer "*not guilty*," which is an unqualified denial of the entire accusation.

3. He may answer "*guilty*" as to a part, and "*not guilty*" as to another part.

4. He may admit the facts charged, and set up certain other facts or circumstances in justification or extenuation of his acts.

ANSWER OF "NOT GUILTY."

To the Worshipful Master, Wardens, and Brethren of....Lodge, No..., of Free and Accepted Masons.

In the matter of the charges and specifications introduced in said Lodge on the....day of...., A. L. 58..., by C. D., against A. B., comes the said A. B. in person (or by Y. Z. his counsel), and says that he is not guilty of the said charges and specifications, nor of any of them.

Dated...., A. L. 58...

A..... B.....

The answer of "*guilty*" is similar to the above, simply substituting the word *guilty* for *not guilty*, and omitting the words "nor of any of them."

ANSWER OF "GUILTY" AS TO A PART, AND "NOT
GUILTY" AS TO ANOTHER PART.

To the Worshipful Master, Wardens, and Brethren
of....Lodge, No..., of Free and Accepted Masons.

In the matter of the charges and specifications introduced in said Lodge on the....day of...., A. L. 58..., by C. D., against A. B., comes the said A. B. in person (or by Y. Z. his counsel), and answers as follows—namely :

As to specification first, he says that he is guilty.

As to specification second, he says that he is not guilty.

As to specification third, he says that he is not guilty.

Dated...., A. L. 58...

A..... B.....

The next following form of answer has been framed in direct response to the form of charges laid down on page 36 of this work, in order thus to afford the most practical illustration possible of the principles involved. It should therefore be read in connection with those charges.

ANSWER ADMITTING THE FACTS CHARGED, AND SETTING
UP OTHER FACTS IN JUSTIFICATION AND EXTENUA-
TION.

To the Worshipful Master, Wardens, and Brethren
of....Lodge, No..., of Free and Accepted Masons.

In the matter of the charges and specifications introduced in said Lodge on the....day of...., A. L. 58..., by C. D., against A. B., comes the said A. B. in person (or by Y. Z. his counsel), and answers as follows—namely :

As to specification first, he admits that he did assault and strike the said C. D.; but he alleges that he did the same in necessary defence of his own person (family or property), the said C. D. having then and there first assaulted him; and he further alleges that he used no more force than was necessary to repel the injury which the said C. D. then and there attempted against him. (Here insert any other material facts in justification.)

As to specification second, he admits that he did use toward the said C. D. the words therein specified; but he alleges that he was greatly provoked thereto by violent and abusive language then and there used toward him by the said C. D., which language was as follows: (here set forth the language, and any other material facts in extenuation.)

As to specification third, he says that he is not guilty.

Dated...., A. L. 58...

A..... B.....

The accused may choose any Master Mason to act as his counsel, and to assist him in his defence. If the Master has appointed, or the accuser has chosen, counsel for the prosecution, the accused may, for any good cause, object to such counsel; and *vice versa*. The Master should thereupon, if he deems such objection well taken, remove the counsel thus objected to, and appoint, or allow to be chosen, other counsel in his stead.

All counsel in Masonic trials, whether for the prose-

cution or defence, must always be of the degree of Master Mason, and in good standing.

If the accused do not appear in person nor by counsel, the Master may appoint counsel for the defence in his discretion, whose duty it will be to see that the trial is fairly conducted, and the rights of the accused not imperilled. A Mason under suspension cannot be admitted into the Lodge; he *must*, therefore, appear and answer (if at all) by agent or attorney.

Entered Apprentices and Fellow Crafts can only appear in a Lodge opened upon the degree to which they have attained, and, therefore, in the trial of a Mason of either of these inferior degrees, all proceedings *at which the accused is entitled to be present*, must be had upon the highest degree to which the accused has attained. He is entitled to be present at all proceedings in the trial prior to the final deliberation, judgment, and sentence.





VI.

OF THE PROOFS.

IF the charges are denied by the accused, **proofs** must be taken as to the facts involved.

By the affirmation of the charges and specifications on one side, and their denial on the other, an issue is raised; and that issue can only be decided upon evidence.

The proofs may be taken before the Lodge, or before Commissioners appointed for that purpose. If the latter course be pursued, the Master appoints the Commissioners (usually three in number) before whom, or a majority of them, all the proofs in the case should be taken. Each of the Commissioners, unless present at the time of his appointment, should be immediately notified of the same by the Secretary.

NOTICE TO COMMISSIONERS.

To Brothers G. H., I. J., and K. L., of.....Lodge,
No...., of Free and Accepted Masons.

Please take notice, that at a regular communication of said Lodge, held on the.... day of... , A. L. 58..., you,

and each and every of you, were appointed Commissioners to take proofs in the matter of certain charges introduced in said Lodge on the....day of...., A. L. 58..., by Brother C. D. against Brother A. B.; and you, or a majority of you, are hereby directed to proceed to take all the proofs pertaining to said matter, and report the same in writing, with your doings, to said Lodge, with all convenient speed.

By order of the Lodge.

Dated...., A. L. 58...

E..... F....., Secretary.



The accused may object to either or all of the Commissioners, and the Master must decide upon the sufficiency of the objection. The Commissioners should appoint a time and place of meeting for the purpose of taking testimony, of which the accuser and accused, or their counsel, must have due and reasonable (usually ten days) notice.

In all cases the whole of the testimony, of a nature proper to be written, must be reduced to writing, and carefully preserved in the archives of the Lodge.

If there be material testimony of such a nature that it cannot be produced at the place where the Lodge is located, or the meetings of the Commissioners held, the same may be taken by either party at any other reasonable time and place, upon permission of the

Master; due notice being first given to the opposite party, and to the Master or Secretary of the Lodge.

Both the accuser and the accused, with their counsel, have the right to be present at the taking of all testimony.

NOTICE TO PARTIES TO ATTEND BEFORE COMMISSIONERS.

To Brother C. D., accuser, and Brother A. B., accused, (or their counsel, as the case may be).

Take notice, that the undersigned Commissioners will meet at the hall of.....Lodge, No....., of Free and Accepted Masons, at....., on the....day of....., A. L. 58..., at.....o'clock in the....noon, for the purpose of taking proofs relating to the charges preferred by Brother C. D. against Brother A. B., now pending in said Lodge; at which time and place your attendance is requested.

Dated....., A. L. 58...

G.....	H.....,	} Commissioners.
I.....	J.....,	
K.....	L.....,	

The testimony for the prosecution must first be taken, and after the accuser shall have closed his proofs the accused may introduce the proofs for his defence. If any new matter be brought out, or any new questions raised by the testimony for the defence, the prosecution may rebut the same, but cannot enter into any new matters, unless the accused be allowed to reply to the same by counter-proofs.

The official books and records of the Lodge are evidence in themselves; so also are the charter, constitution, and by-laws of the Lodge.

But the certificate of the Master or Secretary, in the absence of entry upon the approved records of the Lodge, is not sufficient evidence of the transactions of the Lodge. A Lodge is bound by the records which it has duly approved, and no further. It has power to amend its records, upon such evidence as is deemed sufficient; and such amended record, duly attested, has all the force and effect of an original record. But neither the Grand Lodge nor sister Lodges are warranted in receiving as evidence to control their action, statements or allegations from any source, presuming the inaccuracy of said records; unless, indeed, the Lodge be put upon trial before the Grand Lodge for falsifying its records, which brings up quite another matter.

The best evidence of which the circumstances of the case admit must always be produced, if possible. If the production of the best evidence be shown to be impracticable, then secondary evidence may be offered.

A witness cannot be compelled to criminate himself.

All testimony that is relevant to the facts in issue should be admitted. That which is irrelevant should be excluded. As a general rule, hearsay evidence

should be excluded. Although many of those technical rules of evidence which apply in courts of law are not recognized in Masonic tribunals, yet there are certain fundamental principles of proof which must apply to all human investigation, without which rights cannot be protected and truth elicited, and among them are the few above mentioned.

Both parties have the right of cross-examination. Either party may object to any proofs offered by the other, and the Master or Commissioners must decide the sufficiency of such objection.

Any discreet person is a competent witness. The testimony of a Mason may be taken upon his Masonic honor; for Masonry regards no obligation to speak the truth more binding than its own. The testimony of profanes must be upon oath, duly administered by any officer competent under the law to administer oaths. If the testimony of a profane is to be taken before the Lodge, then the Lodge must be called from labor to refreshment, and sit as a committee, during his introduction and examination.

The testimony of an Entered Apprentice or a Fellow Craft, if taken in open Lodge, must be upon the degree corresponding to the rank of the witness; after which the Lodge should be closed upon the inferior degree, and opened upon the degree of Master Mason.

During the taking of testimony before the Lodge, either the Worshipful Master or any member of the

Lodge may put such questions as he pleases to any witness; but in case of a question being put by any member of the Lodge, either party to the trial may object to such question, and the Master shall decide upon the objection, either admitting or excluding the testimony as he may think proper; but no objection can be interposed to any question put by the Master.

The personal attendance of all witnesses should be obtained when practicable. The oral examination of a witness is always greatly preferable to the use of his written deposition. Depositions or affidavits should only be used in those cases where the personal attendance of the witnesses cannot be conveniently obtained.

A person under sentence of expulsion from all the rights and benefits of Masonry cannot testify upon his Masonic honor, for he has none. He has no part nor lot in *any* of the privileges of the order.

One under sentence of suspension is a competent witness, but he cannot be admitted into the Lodge, nor be received or treated in any manner as a Mason. He is for the time being *attainted*, and his testimony must be taken in all respects as that of a profane.

The accuser, although not always a disinterested party, is a competent witness upon the trial.

The attendance of witnesses who are Masons is enforced by summons. Wilful disobedience of such summons, or a refusal to testify while under examination

as a witness, is a Masonic offence, which subjects the offender to discipline.

SUMMONS FOR WITNESS TO TESTIFY BEFORE THE LODGE.

To Brother M. N.

You are hereby summoned and required to attend as a witness, at the hall of....Lodge, No..., of Free and Accepted Masons, at...., on the.... day of...., A. L. 58..., at.... o'clock in thenoon, then and there to testify what you may know in the matter of the charges now pending before said Lodge against Brother A. B.

Dated.... A. L. 58....

O..... P....., Master.

SUMMONS FOR WITNESS TO TESTIFY BEFORE COMMISSIONERS.

To Brother M. N.

You are hereby summoned and required to attend as a witness before Brothers....., Commissioners by me appointed, at the hall of.... Lodge, No...., of Free and Accepted Masons, at...., on the.... day of...., A. L. 58...., at.... o'clock in the.... noon, then and there to testify what you may know in the matter of the charges now pending before said Lodge against Brother A. B.

Dated...., A. L. 58....

O..... P....., Master.

All summonses are to be issued by the Master, upon application to him by either party, or his counsel.

If the witness will attend without summons, none need be issued; and no summons should in any case

be issued to a profane, as he is not in any manner subject to Masonic jurisdiction.

The Secretary should carefully and particularly record all the proceedings taken in the trial. The testimony need not be entered at large upon the record, but must always be carefully preserved by the Secretary.

If the proofs are taken before Commissioners, they should keep full minutes of all their proceedings, and report them, together with all the evidence, to the Lodge.

It is not proper for the Commissioners to report their opinion as to the guilt or innocence of the accused; they ought simply to report their doings, with the testimony taken by them, for the action of the Lodge. In some jurisdictions the contrary practice prevails, and the Commissioners are directed to report their opinion as to the guilt or innocence of the accused; but the practice is erroneous, and ought to be corrected wherever it prevails. The only proper object of appointing a Commission is to get at the facts. It belongs to the Lodge alone to pass judgment upon those facts.

It should be remembered, however, that this rule applies only to trials in subordinate Lodges. In Grand Lodge trials the Commissioners report the facts, together with such opinion and recommendation as they think proper.

REPORT OF COMMISSIONERS.

To the Worshipful Master, Wardens, and Brethren of..... Lodge, No...., of Free and Accepted Wasons.

The undersigned Commissioners, heretofore appointed to take proofs in the matter of the charges and specifications introduced in said Lodge on the.... day of...., A. L. 58..., by Brother C. D., against Brother A. B., have discharged that duty, and beg leave to report as follows:

After five days' written notice to the parties (or their counsel) the Commissioners met at....., on the.... day of...., A. L. 58..., at.... o'clock in thenoon. Present, Brothers G. H., I. J., and K. L., Commissioners. Brother..... was chosen clerk of the Commission.

The accuser appeared in person, without counsel. The accused appeared in person, with..... as his counsel.

The charges and specifications and the answer were then read.

Brother..... was then introduced as a witness in support of the charges. The accused, by his counsel, objected to said witness being allowed to testify upon his honor as a Mason, for the reason that he was under sentence of expulsion. The fact of expulsion being made to appear, the Commission sustained the objection, and the witness was then sworn by Brother, a Notary Public, and testified as follows:

I am a Master Mason, not in good standing. (Here insert the language of the witness in full.)

The witness was then cross-examined by the counsel for the accused, and testified as follows: (Insert his

language.) The accuser then announced that he had no further proofs.

The Commissioners then adjourned to meet at the same place on the....day of...., A. L. 58..., at.... o'clock in thenoon.

(Date.)

Commissioners met pursuant to adjournment. Present, Brothers G. H., I. J., and K. L., Commissioners. The Worshipful Master not being present, Brother G. H. acted as chairman.

The accuser and accused appeared as before.

Brother.....was then introduced as a witness for the accused, and testified upon his Masonic honor as follows: (Here insert the testimony in full.)

The official record of.....Lodge, No..., of Free and Accepted Masons, of the date of...., A. L. 68..., was then introduced and read in evidence, which record is as follows: (Here set out that portion of the record put in evidence in full.)

Both the accuser and accused then announced that they had no further proofs.

The proofs being closed, the Commissioners adjourned without day.

Hereto annexed are the charges and specifications and the answer aforesaid, heretofore referred to the Commissioners.

All of which is respectfully submitted.

G.....	H.....,	} Commissioners.
I.....	J.....,	
K.....	L.....,	

Dated....., A. L. 58...

If the accused does not appear, proof of service of

notice upon him, or any other facts pertaining thereto, must be made before the Commissioners, and embodied by them in their report. But if the accused has not answered to the charges, no notice to him is necessary. All objections, motions, and rulings made by or before the Commissioners must be set out in full in their report, in order that either party may take the benefit of an appeal, if he so desire.

The accused should be allowed to make any statement or explanation he may choose before the Lodge. Such statement or explanation is for the Lodge to consider, and they may give it such credit, in whole or in part, as under all the circumstances they think it entitled to. But he cannot be cross-examined upon any statement he may make, without his consent; and if questions are put to him, he may answer them or not, as he pleases. He cannot be summoned nor subjected to examination as a witness in the case.

Any explanation which the accused may desire to make should be received at any time before judgment.

If the accused answers that he is guilty of the charges and specifications, nothing remains but for the Lodge to determine by ballot the degree of punishment to be inflicted; all necessity for the taking of proofs being obviated by such answer.

If the accused appear, but refuse to answer, that fact should be entered of record, and the trial should then proceed as though he had answered *not guilty*.



VII.

OF THE ARGUMENT.

UPON the closing of the proofs before the Lodge, at the reception of the report of the Commissioners, the accuser and accused have the right, either in person or by counsel, to argue the case before the Lodge.

The usual order of discussion should be followed. The accuser, having the affirmative of the issue, opens the argument; the accused, having the negative, replies to the case made by the accuser, and urges all proper points in his own defence. The accuser then closes the argument by replying to the arguments of the accused; but the accuser should not be allowed, in closing, to raise any new questions or urge any new matters, unless leave be also given the accused to reply.

The Master has the right to limit the parties in their argument to such time as he may think proper; but if he intends enforcing any limit, he should give the parties notice before the opening of the argument; otherwise great inconvenience might be suffered.

The parties should be confined in the argument

strictly to the subject-matter; and no personal abuse, unmerited accusations, or violent and improper language of any kind should be allowed.

Either party may call the other to order in the argument (as also may any member of the Lodge); and when such call to order is made, the party speaking must stop, and remain silent until the point of order is decided by the Master: and if the point of order is sustained, the party must proceed in his argument in accordance with such direction as the Master shall give. For a refusal to comply with such direction, the Master may seat the refractory party or counsel; or, if his conduct be grossly improper, may cause him to be immediately conducted from the Lodge.

It should be remembered that the relation of parties and counsel in a Masonic trial is still that of *brethren*, and differs materially from that of parties and counsel in an action before a court of law. In any Masonic proceeding, of whatever nature, truth, candor, and courtesy are never to be forgotten. Passion, invective, or recrimination ought never to be indulged, and when manifested from *any source*, at *any period* of the trial, should be promptly checked by the Master; and especially should the Master be mindful of his own conduct in these particulars.

It would in all cases be a great advantage if parties or counsel would prepare a carefully written brief of

the points and authorities presented in argument. Such briefs, left in the hands of the Master at the close of the argument, would often tend materially to aid the Lodge in the examination of the law, and would also, in many instances, be valuable for reference in **other cases.**





VIII.

OF THE DELIBERATION.

UPON the conclusion of the argument (or, if there be no argument, then upon the conclusion of the testimony), the accuser and accused, with their counsel, and every other person not authorized to vote upon the final decision of the case, must retire from the Lodge. The doors should then be closed for deliberation, and no brother should be allowed to withdraw until after the sentence, except for urgent reasons.

It is proper, at this stage of the proceedings, for any brother to express his views of the case, and of the law and facts involved. A full and free interchange of ideas is often of the highest benefit at such a time. The members of the Lodge are then acting as a bench of judges, to whom the pleadings and proofs have been finally submitted. They are deliberating upon their final judgment in the case, and each one has a right to whatever light and knowledge his brethren may possess. False notions are often thus eradicated, errors of fact corrected. or prejudices overcome; the result of

which is the harmonious settlement of the collective mind of the Lodge upon a just and equitable judgment.

Not only should the facts be carefully canvassed, but every principle of law connected with the case should be distinctly understood by every brother before the vote is taken. If there be doubt or misunderstanding as to a question of law, the best authorities should be at once consulted.

The Master may, and should, for the information of the brethren, give his opinion as to the law; yet his judgment cannot control theirs. Each one must act independently, and upon his own individual judgment, guided by the best light which he can obtain. All are judges, and all are equal.

When every fact, interest, and principle involved in the case shall have been deliberately canvassed, and when every brother shall have distinctly comprehended the issue in all its bearings, then, and not till then, the Lodge will be prepared to vote upon the question of the guilt or innocence of the accused.

Let no one deem that we attach too great importance to this stage of the trial, for it is the very crisis of the case. No member should allow himself to become impatient, nor treat with indifference the slightest interest involved; but let him remember that it is his *brother* who is upon trial; and let him devote to the subject all that patient investigation and careful

solicitude which he would wish that brother to devote, if himself and the accused were to exchange positions. Let that noble admonition which is so eloquently given in the Middle Chamber be borne in every heart—that in the decision of every trespass each one may judge with candor and reprehend with justice.





IX.

OF THE JUDGMENT.

FINAL judgment upon the guilt or innocence of the accused can only be passed in a Master Mason's Lodge. None should be present but those lawfully qualified to vote upon the case; namely, all actual members of the Lodge in good standing, except the accuser and accused, and their counsel.

An honorary member who is not also an actual member, cannot vote nor be present. But the fact of an actual member having been also elected an honorary member, does not abridge his rights in any respect as an actual member. If he holds *both* relations to the Lodge, he may exercise all the rights of both; if he holds but one, then he has only the rights of that one.

The simple question of the guilt or innocence of the accused is the one upon which the vote of the Lodge is first to be taken.

The vote should be by ballot. In some States the vote is required to be taken *viva voce*; but the ballot

is the only method by which secrecy can be secured, and it is in strict accordance with Masonic usage. A Mason has the same right to a secret ballot here as in voting upon the initiation or advancement of a candidate. He cannot be questioned, in the Lodge nor elsewhere, as to how he voted. To his own conscience and to his God he is alone responsible. Where, as in some jurisdictions, every brother is required to rise and declare his vote in open Lodge, the independence and freedom of individual action are in many instances greatly impaired, and the ends of justice thereby often defeated. A brother may have the strongest and most honorable reasons for concealing his vote from the accused; a thing which it would be *practically* impossible for him to do except by a secret ballot, however *theory* may run to the contrary.

The vote should be taken upon each charge or specification separately; and the Lodge may acquit or convict upon a part or all of the charges and specifications, as they may deem just.

The particular method of balloting lies in the discretion of the Worshipful Master; though the ball ballot is more strictly Masonic. If it be by ball ballot, the usual practice is to cast black for "guilty," and white for "not guilty;" if paper ballots are cast, the words "not guilty," or "guilty," should be plainly written, and the ballots so folded that they cannot be read as they are cast.

The Worshipful Master and Wardens are the proper officers to inspect and declare the ballot.

Two-thirds of all the votes cast are required to convict.

There being no possibility of a tie where a majority of two-thirds is required, the Master has the same vote as any other member, and no more.

The result of the ballot upon each charge or specification should be recorded by the Secretary in regular order, with the numbers severally cast for "guilty" and "not guilty."

No brother can be excused from voting except by the unanimous consent of the Lodge.

If it appear, upon counting the ballots, that less than two-thirds are cast for "guilty," the accused stands acquitted, and the judgment of the Lodge must be so recorded and declared forthwith.

Upon a judgment of acquittal, the proceedings are absolutely terminated, and the case is closed, so far as regards any further action by the Lodge. There can be no reconsideration of the vote, nor repassing of the ballot. The only remedy is by appeal to the Grand Lodge.

But if the accused be convicted upon any or all of the charges and specifications, the question immediately arises as to the penalty that shall be inflicted.

To the consideration of Masonic penalties, their nature and consequences, the attention of the reader will be directed in the next chapter.



X.

OF THE PENALTY.

THE accused having been found guilty, in the manner set forth in the preceding chapter, it only remains for the Lodge to inflict such lawful penalty as, under all the circumstances, shall be deemed most just.

But three penalties are known to Masonic jurisprudence, viz.:

1. Expulsion.
2. Suspension (either definite or indefinite).
3. Reprimand.

The first is an absolute dissolution of all Masonic ties; an utter destruction of all Masonic rights. It is Masonic death. In many jurisdictions this is the prerogative of the Grand Lodge only.

The second is a temporary deprivation of the privileges of the Order, for a period during which the Masonic rights of the offender are held in abeyance, or suspense, but are not entirely destroyed.

The third is a mere expression of censure or disapprobation, without any deprivation, either temporary or otherwise, of Masonic rights and privileges.

Expulsion is the severest punishment Masonry inflicts. Not only does it rupture all the ties which bind the delinquent to the fraternity, but the result of his iniquity is visited upon the heads of his wife and children; and both he and they are from thenceforth as much strangers to the Order as though he had never been a Mason. Neither he nor they are entitled to any Masonic relief whatever. He is no longer subject to the penal jurisdiction in the Lodge. He cannot visit any Lodge, nor be recognized fraternally by any individual Mason, nor join in any Masonic procession or ceremony, nor prefer charges in any Lodge, nor testify as a Mason upon any Masonic trial, nor receive the honors of Masonic burial.

Expulsion from the Lodge expels, without further action, from all other Masonic bodies with which the accused may be connected in the York rite—whether a Chapter of Royal Arch Masons, a Council of Royal and Select Masters, or a Commandery of Knights Templar. But expulsion from any superior body—as from a Chapter, Council, or Commandery—does not expel from the Lodge, nor from any degree or body in Masonry below the one in which the sentence is passed. The three degrees which every Lodge confers are the foundation upon which Freemasonry, in

all its degrees and departments, rests. When this foundation is removed, the entire Masonic edifice must fall. But the removal of any portion of the superstructure does not, for evident reasons, affect that which lies beneath. A further and most conclusive reason for this rule is also found in the covenant of the third degree.

The penalty of expulsion being of so severe a nature, it should only be inflicted after the clearest proof, and for the greatest offences. Yet in cases which render it necessary, it should be promptly and firmly administered. No false ideas of mercy should be allowed to overbear the well-being and safety of the whole society, for these are to be maintained at every hazard; "that the honor, glory, and reputation of the institution may be firmly established, and the world at large convinced of its good effects." The cause of justice, the dignity and authority of the law, and the fair fame of the Order, are matters of far greater moment than any personal interests of the offender.

It is the theory of the law in this country, as well as in England, that the subordinate Lodge has power to try the delinquent, and, upon conviction, to pronounce the sentence of expulsion, but that the sentence must be confirmed by the Grand Lodge, to make it final. This confirmation is given (except in case of appeal) by the silent reception of the report of the Secretary of the subordinate Lodge; and, by Masonic usage, the

sentence of the Lodge stands in full force in *all cases*, until formally revoked by the Grand Lodge.

Suspension, whether definite or indefinite, subjects the offender, for the time being, to nearly the same disabilities as expulsion, except that those disabilities are temporary instead of permanent. During the period of his actual suspension, he is prohibited from the exercise and enjoyment of any of his Masonic privileges. His rights are placed in abeyance—or, as the sentence implies, *suspension*—and he can neither visit or join other Lodges, nor hold Masonic communication, nor receive fraternal relief or fellowship from any Masonic body or brother whomsoever, during the period of his suspension. But he is still a Mason. He is still subject to the penal jurisdiction of the Lodge. His Masonic relations are not lost nor destroyed, but only temporarily interrupted; to be resumed in their fulness as soon as the period of his suspension shall expire, or his sentence be revoked.

Definite and indefinite suspensions are precisely similar in their immediate effects, and differ only as regards the time of their continuance and the manner of restoration from their disabilities.

Definite suspension ceases upon the expiration of the period for which it was declared, being terminated by mere lapse of time.

Indefinite suspension continues, as the term indicates, *indefinitely*; that is, until the Lodge interposes by its

act of restoration; being terminated, not by lapse of time, but by the positive action of the tribunal by whose sentence it was inflicted.

A singular conflict of authority exists among the various jurisdictions of the United States upon the question of definite and indefinite suspension. While some Grand Lodges hold that definite suspension is illegal, and that indefinite suspension alone is legal, others hold with equal tenacity to the exact contrary, declaring that indefinite suspension is illegal, and that definite suspension alone is legal. Amidst all this confusion, I find by far the greater weight of opinion, as well as of usage, sustaining the legality of *both* of these penalties, and upholding the right of Lodges to inflict either of them in their discretion; ranking indefinite suspension as the severer penalty of the two, and consequently first in order upon the ballot.

The consideration of the second point of distinction between definite and indefinite suspension, namely, the several methods of restoration from their disabilities, will be deferred until a subsequent chapter.

A delinquent under sentence of suspension, whether definite or indefinite, (or of expulsion,) is not liable to pay dues. Lodge dues are paid for the enjoyment of certain rights which pertain to membership, and payment for the privileges of membership is suspended upon the suspension or cessation of that membership. It would certainly be against all principles of equity

to compel payment of dues, while the very consideration of those dues was withheld.

This is the general law of Masonry, and the almost universal practice; though in some jurisdictions (as in Michigan, by an edict passed in January, 1870), upon the restoration of a delinquent from suspension, the party restored is required to pay dues for the whole period of his suspension. It is, of course, competent for the Grand Lodge to require, as a condition of restoration, the payment of a sum equivalent to the dues which would have accrued if the brother had never been suspended, as the subject is not regulated by the landmarks; but the sum so paid cannot properly be termed *dues*, for dues are strictly an incident of membership; and, as the delinquent had no membership during the period of his suspension, no dues, properly speaking, could accrue against him while suspended. The sum so required and paid, is rather the price of restoration, than accrued indebtedness.

Reprimand is the mildest form of Masonic punishment, and consists in a formal reproof, administered by the Master in open Lodge, in pursuance of a sentence of the Lodge to that effect. It does not in any way affect the Masonic standing of the accused. It deprives him of no privileges, and abridges none of his rights.

The terms to be used in the infliction of this penalty

are of course left to the discretion of the Master, but he should remember that the punishment consists in the fact that the reprimand has been ordered, and not in any particular severity of language, and should therefore avoid any uncourteous remarks. No mere words can add anything to the ignominy of the sentence.

The distinction which some writers endeavor to make between public and private reprimand, and between reprimand and censure, is not warranted by Masonic law nor sanctioned by any correct usage. It but serves as an illustration of those distinctions without difference, the only tendency of which is to darken the subject which they are designed to elucidate.

It is an inflexible principle of Masonic law that no Mason can be suspended or expelled, nor in any way punished, nor deprived of any Masonic right or privilege whatsoever, without charges and specifications regularly filed, and due trial and lawful conviction thereupon, with opportunity to the accused to appear and defend. This principle has been affirmed with one unanimous voice by Grand Lodges and leading Masonic jurists throughout the world; and yet there is an opinion in the minds of thousands of Masons that for non-payment of dues, and some other delinquencies, the name of the delinquent may be stricken from the roll, and his membership thereby temporarily suspended, by a mere resolution of the Lodge, without any charges, notice, or trial whatever;

and the erroneous practice actually prevails in many Lodges.

The so-called penalty of "*striking from the roll*," or "*exclusion*," is in direct violation of Masonic law, unknown to correct Masonic usage, and should not be considered for an instant within the walls of any well-regulated Lodge. The Master has the power, by his prerogative, to exclude *any one* from the Lodge (except the Grand Lodge, the Grand Master, his deputy or proxy, or the Grand Visitor and Lecturer, coming in official capacity), upon such reasons as may seem to him sufficient; but it is a power incident only to *his* office. It is not in the nature of a penalty, but a protection; and with the exercise of that power the Lodge neither has nor can have anything whatever to do, either by its by-laws or by any judicial action.

Neither can membership be suspended or terminated, nor any other deprivation or penalty inflicted by the mere operation of a by-law, without opportunity to defend or explain; and any by-law to that effect is absolutely void, as being in conflict with the constitution of Masonry. *No penalty whatever* can be inflicted except after due trial and lawful conviction.

The infliction of fines as a penalty upon refractory members or brethren is also inconsistent with ancient Masonic law and usage.

After the ballot by which the accused is convicted, the vote must be taken upon the penalty in the follow-

ing order, beginning with the highest and descending to the lowest, until the requisite vote is given to declare the sentence—viz :

1. Expulsion.
2. Indefinite Suspension.
3. Definite Suspension.
4. Reprimand.

The vote should be by ballot, and the same rules regulate the ballot here as in passing judgment upon the question of guilt or innocence.

A two-thirds vote is required for sentence of expulsion or suspension.

Sentence of reprimand may be passed by a majority vote.

The severity of the penalty is not regulated in the Masonic, as in the municipal law, by the particular offence committed, but rests solely in the discretion of the Lodge having jurisdiction in the case. Any one (but *only* one) of the three Masonic penalties may be inflicted for any Masonic offence, unless there be special provisions of law to the contrary ; all the facts and circumstances being taken into consideration by the Lodge in fixing the sentence. But when special constitutional or legal provisions are laid down, those provisions must of course be followed ; and if, as is the case in some Lodges, the by-laws provide a particular one of the three Masonic penalties for a particular offence (as, for instance that the penalty for non-pay-

ment of dues shall be limited to suspension) the Lodge must be governed by the limitation so provided. But if the by-laws provide a penalty or proceeding unknown to Masonry—as, for example, a fine, or striking from the roll, or exclusion from the Lodge, or forfeiture of office—such provision is null and void, and should be so treated; for though every Lodge has the power to regulate its internal police by the adoption of by-laws, yet such by-laws must be consistent both with the constitution of the Grand Lodge and with the ancient landmarks and usages of Masonry.

If the case shall seem to warrant such a course, the Lodge may refrain from inflicting any penalty whatever; in which event the Masonic standing of the accused will not in any way be affected. Although the judgment of conviction will still stand against him, yet his legal relations to the Order will remain unchanged; for the loss of Masonic rights is the result of the *sentence*, and not of the *conviction*. It is the *penalty* of expulsion or suspension, and not the *judgment* of “guilty,” that changes the *status* of the delinquent.

If, in voting upon all the Masonic penalties in their proper order, there shall not be obtained the requisite vote for the infliction of any penalty whatever, the Lodge cannot reconsider its action and inflict punishment by a subsequent vote.

The result of the vote upon each penalty should be entered at large upon the record, with the number of

votes *pro* and *con* in each instance, and in the order in which the proceedings occur.

After the Lodge has completed its action, the accuser and accused, with their counsel, should be readmitted, and the result announced to them by the Master.

If not present, they should at once be officially notified of the action of the Lodge by the Secretary.

NOTICE OF JUDGMENT AND SENTENCE.

To Brothers A. B. and C. D. (or to either of the parties or their counsel, as the case may be).

Take notice, that in the matter of the charges and specifications introduced in.....Lodge, No..., of Free and Accepted Masons, on the..... day of....., A. L. 58..., by Brother C. D., against Brother A. B., the said Lodge did, on the....day of....., A. L. 58..., adjudge the said A. B. guilty of said charges, and of specifications Nos. 1 and 2 made thereunder; but of specification No. 3 it did adjudge him not guilty; and thereupon the said Lodge did pass sentence of..... (state the penalty particularly) against the said A. B., which sentence now stands recorded against him in said Lodge.

Dated....., A. L. 58...

E..... F....., Secretary.

If no sentence was passed, let the notice so specify.

All expulsions should be reported forthwith to the Grand Secretary of the Grand Lodge. In some jurisdictions they are required to be also reported to adjacent Lodges, as are also cases of suspension.

If the person expelled or suspended were a member of another Lodge than the one wherein he was tried, the Lodge in which he held his membership should be immediately notified of the proceedings.

The practice which prevails in some localities, of publishing expulsions in profane journals and newspapers, is unmasonic, and highly improper. Masonry is not accountable to the general public for any judicial action taken by its tribunals. Besides, the action of a Lodge, Chapter, or Commandery, in a Masonic trial, is strictly of a private and Masonic nature, and is important to Masons only, and ought not to be published broadcast to the world. Publication in a strictly Masonic journal would be less objectionable; but even that should not be done unless required by law. Simply the notice which the constitution and edicts of the Grand Lodge require, is all that should be given; and that over-zealous spirit which would carry the matter farther than the letter of the law itself, is always ill-advised, and ought to be reprehended.

NOTICE TO GRAND SECRETARY OF JUDGMENT AND
SENTENCE.

To the R. W. Grand Secretary of the Grand Lodge of F. and A. M. of the State of.....

Please take notice, that on the....day of....., A. L. 58...., Brother A. B. was tried byLodge, No...., of F. and A. M., upon certain charges and specifications preferred against him in said Lodge by Brother C. D.,

for unmasonic conduct, which specifications are as follows: (here set forth the specifications.)

The said Lodge did then and there adjudge the said A. B. guilty of said charges, and of specifications Nos. 1 and 2 made thereunder; but of specification No. 3 it did adjudge him not guilty; and thereupon the said Lodge did pass sentence of. . . . (state the penalty) upon the said A. B., which sentence now stands recorded against him in said Lodge.

By order of the Lodge.

Dated. . . ., A. L. 58. . .

E. F., Secretary.



The notice to adjacent Lodges should be in a similar form, simply changing the address.

Here the case closes, unless an appeal be taken.





XI.

OF APPEALS.

ANY brother deeming himself aggrieved by the decision of his Lodge, or of the Master thereof, may appeal, in writing, to the Grand Lodge. (Ancient Landmarks, No. 13.)

This great right is inalienable and indefeasible; and it is not in the power of any Grand Lodge, nor of any body of Masons whomsoever, to deny, abridge, repeal, or modify it. It extends as well to Fellow Crafts and Entered Apprentices as to Master Masons; it includes within its protection the rights of the humblest and the weakest, as well as of the highest and the strongest. Whosoever is subject to Masonic jurisdiction, is entitled to his redress by appeal to the tribunal of last resort.

The features of a Masonic appeal are, that it may be taken by either party, and without regard to whether the accused were acquitted or convicted upon the trial. It applies as well in questions of law as in questions of fact, and lies from any erroneous action, ruling, or decision, whether of the Lodge, of the Master, or of

Commissioners. It is, in short, the method, and the only method, whereby any error whatsoever (except as hereinafter mentioned) may be taken from the Lodge to the Grand Lodge for review and correction.

The appeal must be taken, and notice thereof given in writing to the subordinate Lodge by filing the same with the Secretary thereof, within ninety days after the appellant shall have received official notice of the decision from which the appeal is taken; otherwise the appeal will not be entertained by the Grand Lodge.

This, however, is not the universal rule, though it is the more general one. The time within which the appeal must be taken, is a subject of special legislation in the several grand jurisdictions. By some Grand Lodges, the limit is fixed at sixty days, by some at six months, by some at nine months, and by some at the next annual communication after the judgment; but by the great majority *ninety days* is the period allowed within which to appeal. If there be any doubt as to the time, the provisions of law in the particular jurisdiction where the case arises should be at once consulted, and will of course govern.

NOTICE OF APPEAL.

ToLodge, No . . . , of Free and Accepted Masons.

Take notice, that I intend to appeal from the action (or decision) of said Lodge (or of the Master of said Lodge, or of the Commissioners appointed to take

proofs, or all of them), in the matter of the charges preferred against me by Brother C. D., whereby I was convicted of said charges, and sentence of.... passed against me (or set forth any other decision from which appeal is taken); and you are hereby requested to make out and forward to the Grand Secretary of the Grand Lodge of Free and Accepted Masons of the State of.... certified copies of all papers, proofs, records, and proceedings pertaining to said matter, preparatory to the trial of said appeal at the next annual communication of the said Grand Lodge.

Dated...., A. L. 58...

A..... B.....

If the appeal be taken from the action or decision of the Worshipful Master in a matter disconnected from any trial, the notice should specify the subject-matter fully; otherwise following the same general forms as above, and varying it in accordance with the facts.

Upon the receipt of this notice it is the duty of the Secretary to immediately make and transmit to the Grand Secretary full and accurate copies, duly certified, of the proceedings in the case as they are recorded upon the books of the Lodge, of the charges and specifications, answer or answers, notices, summonses, proofs, reports, and all matters in the archives of the Lodge pertaining to the subject-matter; in order that the Grand Lodge may be enabled to come to a proper understanding and speedy decision thereof.

The Secretary should minute the notice and return upon the records of the Lodge, in order that the history of the case may be clear in case papers should be lost.

The appeal must be made in writing, and should set forth the grounds upon which the appellant seeks redress.

FORM OF APPEAL.

To the M. W. Grand Lodge of Free and Accepted Masons of the State of.....

The undersigned hereby appeals to you from the decision of..... Lodge, No..., of Free and Accepted Masons, in the matter of certain charges and specifications preferred in said Lodge against this appellant by C. D., whereby this appellant was convicted of the said charges and specifications, and sentence of suspension passed against him; and he specifies the following as the ground of his appeal, viz.:

1. That the charges and specifications are vague, uncertain, and insufficient.
2. That the Commissioners erred in refusing to admit the sworn affidavit of J. K.
3. That the Worshipful Master erred in allowing O. S. to act as counsel for the accuser, the said O. S. being at the time under sentence of suspension.
4. That the proofs were not sufficient to warrant the conviction.
5. That the severity of the penalty is disproportionate to the offence proven.
6. That the Lodge erred in passing sentence of suspension by a majority vote.

7. That judgment and sentence were passed while the Lodge was open upon the second degree of Masonry.

All of which will more fully appear from the records, proofs, and proceedings in the case.

Dated...., A. L. 58...

A..... B....., Appellant.

Any other matters upon which the appeal is grounded should be set forth in like manner, care being taken to specify them definitely and in order.

The appeal may be taken generally, upon all matters involved in the case; or specially, upon any decision or decisions, irregularity or irregularities, occurring in the course of the proceedings.

The appeal should be filed with the Grand Secretary, which filing completes the steps to be taken by the appellant until the Grand Lodge shall convene.

No copy or notice of the appeal is required to be served upon the appellee. The notice to the Lodge becomes, when filed, a part of the record in the case, of which the appellee is bound to take notice.

No formal answer to an appeal is necessary, although one is sometimes put in; and for the convenience of those who may desire to follow that practice, the following general form is given:

ANSWER TO APPEAL.

To the M. W. Grand Lodge of Free and Accepted Masons of the State of.....

In the matter of the appeal of A. B. from the decision of Lodge, No . . . , of Free and Accepted Masons.

Comes C. D., appellee (or the said Lodge, or O. P., Worshipful Master of said Lodge, as the case may be), and in answer to said appeal denies that there was any error in the proceedings of said Lodge (or of the said Worshipful Master, or of the Commissioners); and further says that the same is sustained by the evidence in the case and by the law applicable thereto.

Dated , A. L. 58 . . .

C D , Appellee.

If any answer be made to the appeal it should be filed with the Grand Secretary in like manner as the appeal, but no notice thereof is required to be made upon the appellant. Any special matters that the appellee may desire to set up can be covered by amplification of the above form of answer.

It is lawful to appeal directly to the Grand Master when the Grand Lodge is not in session, upon questions relating to the general affairs and business of the Lodge, but not from the decision of the Lodge in trials for Masonic offences, where the question of *guilt or innocence* is involved. And inasmuch as his decision is subject to review by the Grand Lodge, it is preferable, even in matters where an appeal to him would be lawful, to appeal directly to the Grand Lodge, where alone a *final* decision can be had. And furthermore, any interlocutory order which the appellant may desire to obtain from the Grand Master, as

the stay of proceedings under the decision, for instance, can be obtained as well upon the filing of the appeal and return with the Grand Secretary as though the appeal had been made to the Grand Master himself; for upon his attention being called to the facts and proceedings as embodied in the return or transcript sent up by the Secretary, the Grand Master may make such interlocutory order as the case shall demand; which order will be of force until reviewed by the Grand Lodge.

In case of any appeal to the Grand Master (which, be it remembered, cannot be made in a Masonic *trial*, where the question of *guilt or innocence* is involved), the notice of appeal should be framed with that view, and the appeal should be directed to him in his official character, otherwise following the general forms above laid down. The appeal and Secretary's return should in such case be remitted to the Grand Master, instead of to the Grand Lodge.

For further remarks upon the subject of Appeals to the Grand Master, and the powers of that officer relative to trials and appeals, the reader is referred to Chapter XV. of this volume, where that subject is fully discussed.

As has been remarked in a preceding chapter, no appeal can ever be taken from any action, ruling, or decision of the Worshipful Master to the Lodge itself. It is the prerogative of the Worshipful Master to rule

and govern his Lodge, answering for his conduct only to his Masonic superiors, namely, the Grand Lodge, or, in the *interim* thereof, to the Grand Master. The fact that this results in the vesting of dictatorial power in the Master within his own Lodge, constitutes no real objection to the principle; for the ancient institution of Freemasonry is not based upon those principles of republican liberty and popular rights which are the only sure foundation and support of municipal governments, but upon those ideas of patriarchal supremacy which pervaded the world during the ages in which Freemasonry took its rise. Notwithstanding the undoubted necessity of political freedom as a basis of public peace and prosperity, experience has proven the despotic powers of the Master to be the very ægis of our Masonic system—its sure protection against faction and discord within, and its strong defence against invading malice from without. In the hour of peril, the only safety lies in the prompt and powerful action of a single will; and accordingly we find that in all well-organized governments, whether free or despotic, the executive power is placed in a single hand. It was the judicious exercise of the supreme power of the Grand Masters that saved the craft in Europe from destruction during the terrible persecutions waged against it by the Roman Pontiff in the thirteenth century. Yet the powers of the Worshipful Master are by no means without prudent checks

and balances. His vows and obligations are of the most sacred and binding character, and that supreme appellate tribunal, the Grand Lodge, under whose watchful eye his every act must be performed, wields over him a power even more despotic than that which he exercises within the narrow limits of his own subordinate jurisdiction. His responsibility is proportionate to his power; the account which he must render is commensurate with the high charge, committed to his hands.

That able Masonic writer, Dr. Mackey, observes that "some writers have endeavored to restrain the despotic authority of the Master to decisions in matters strictly relating to the work of the Lodge, while they contend that on all questions of business an appeal may be taken from his decision to the Lodge. But it would be unsafe, and often impracticable, to draw this distinction; and accordingly the highest Masonic authorities have rejected the theory, and denied the power in a Lodge to entertain an appeal from any decision of the presiding officer." In alluding to the safeguards that are thrown around this power, he further says: "The appellate court of the jurisdiction is ever ready to listen to appeals, to redress grievances, to correct the errors of an ignorant Master, and to punish the unjust decisions of an iniquitous one."

The Master not only *may*, but *must*, sustain his own

prerogative. He cannot, even by courtesy, entertain an appeal to the Lodge from any decision of the chair; and to do so would be a palpable violation of a well-established principle of Masonic law.

The decision of an officer lawfully occupying the chair *pro tempore* has the same force, and is governed by precisely the same rules, as though made by the Master himself.

No appeal lies from the action of a subordinate Lodge (if regularly taken), in the admission of members or the election and initiation of candidates. The choice and regulation of its own membership is an inherent right of the Lodge, with which the Grand Lodge has no power to interfere. "Nor is this inherent privilege subject to a dispensation; because the members of a particular Lodge are the best judges of it."—(Gen. Reg. of 1721, No. 6.) For any *irregularity* in such action, as, for example, balloting upon an inferior degree, or initiation upon a ballot found not clear, an appeal may be taken; but not upon the question of the power and right of the Lodge to admit or reject, for that is a portion of that original control which has always been exercised, and never delegated, by the subordinate (or "particular") Lodges.

The appeal must be prosecuted at the first regular communication of the Grand Lodge, after the time limited for taking the same shall have expired.

If the appeal be not prosecuted seasonably, the

appellee may move to dismiss it for want of prosecution; and if, upon the hearing of the motion to dismiss, no sufficient reason is shown for the delay, the appeal will be dismissed by the Grand Lodge.

MOTION TO DISMISS APPEAL.

In the matter of } Appeal from.....
 Brother A. B. } Lodge, No..., F. and A. M.

To the M. W. Grand Lodge of F. and A. M. of the State of.....

The undersigned moves the Grand Lodge to dismiss the said appeal, for the reasons following—viz.:

1. Because said appeal was not made within the time prescribed by law, more than..... having elapsed after the judgment in said Lodge before the notice of the appeal was given.

2. Because said appeal has not been prosecuted with reasonable diligence, no proceedings whatever having been taken for the trial of the same.

Dated.... A. L. 58...

C..... D....., Appellee.

Upon the trial of the appeal the Grand Lodge of course adopts such method as it deems most proper; but the usual practice is to refer the appeal, with the testimony and all matters connected therewith, to a committee, who, upon such reference, make a full investigation of the case, and report all material facts and questions involved therein, with a recommendation of the decision which, in the opinion of the committee,

the merits of the case require. Upon the coming in of this report the Grand Lodge takes final action in the case, in like manner as though the investigation of the matter had been made by and before the whole body. If the report be unsatisfactory or incomplete, the case may be recommitted to the same or another committee for further examination, or such further examination may be made before the whole body of the Grand Lodge, as shall be deemed most expedient. The Grand Lodge may direct the amendment of the report of the committee in any particular, and, in its sovereign pleasure, may adopt, reject, or vary any recommendation embodied therein.

A case will not be reversed upon appeal for mere matter of form, provided substantial justice shall have been done; but any error or irregularity in any paper or proceeding whereby any right shall have been withheld, any privation suffered, or any wrong or inequality caused, will be considered, and such order made in the premises as fairness and equity shall demand, whether it be of reversal, modification, or new trial. A reasonable adherence to forms and precedents is necessary in every judicial proceeding, and justice between man and man can only be reached by systematic methods of inquiry and adjudication. The moment any tribunal departs from that established system of procedure which is sanctioned by law and usage, that moment the rights of all parties are endangered; for where

there is no standard there is no protection. Therefore a proper adherence to those rules and forms which precedent has sanctioned should always be enforced in subordinate jurisdictions, unless rendered absolutely impracticable by the circumstances of the case. Urgent necessity can alone justify a departure from settled forms and methods, and a return to them should instantly follow the removal of that necessity.

The Grand Lodge, or, in the *interim* thereof, the Grand Master, may order the Secretary of the Lodge from which the appeal is made to amend his report or transcript in whatever matter shall be deemed necessary, to the end that a complete understanding of the whole case may be had.

It is competent for the Grand Lodge to receive any new evidence upon the trial of the appeal, for it not only holds appellate jurisdiction in the case, but it is also the supreme Masonic authority, subject only to its own constitution and the landmarks of the Order; but no such evidence ought to be received by the Grand Lodge without reasonable notice being first given by the party desiring to take the same to the opposite party, specifying with particularity the nature of the evidence thus sought to be introduced. What is reasonable notice in such case is for the Grand Lodge to determine, and the opposite party must have full opportunity to rebut the new evidence thus introduced.

NOTICE OF INTENTION TO TAKE NEW PROOFS UPON TRIAL
OF APPEAL BEFORE THE GRAND LODGE.

To..... Lodge, No...., of Free and Accepted Masons.

Take notice, that in the matter of the appeal from the decision of said Lodge, now pending before the Grand Lodge of Free and Accepted Masons of the State of...., the undersigned will, upon the trial of said appeal, at the next annual communication of said Grand Lodge, offer the following proofs, in addition to those already on file and of record. (Here state the particular matters intended to be proven.)

Dated.... A. L. 58...

A..... B....., Appellant.

In some jurisdictions a Court of Appeals is established by the Grand Lodge, by and before whom all appeals are tried. Where this practice prevails, such court has full power to try and determine all matters pertaining to cases coming properly before it, under such regulations as the Grand Lodge may adopt for its government; and the decisions and orders of such court, made within the established powers thereof, are of the same binding force and authority as though made by the Grand Lodge itself. By whatever name such a court may be called, or with whatever powers it may be invested, it is still, in legal effect, nothing more than a committee of the Grand Lodge. Its action is simply the action of the Grand Lodge, by its agent or referee. Though appeals be authorized directly to such a court,

they may still be taken directly to the Grand Lodge ; for the right to appeal to that supreme body is a landmark of the Order, which not even the Grand Lodge can abridge or alter. The trial before a Court of Appeals is, then, only another method of *trial by the Grand Lodge* ; and it is not possible for the Grand Lodge, by vesting judicial power in such a tribunal, to divest itself of its own jurisdiction and responsibility in the premises. It may *authorize*, but cannot lawfully *compel* the taking of appeals to another bar than its own. To the Grand Lodge itself the aggrieved appellant has still the right to pray, and to his prayer the Grand Lodge is still bound to listen.

After a due investigation of the case, the Grand Lodge may, by a majority vote—

1. Affirm the decision appealed from.
2. Reverse the decision.
3. Modify or change the decision.
4. Award a new trial.

If the penalty be too severe, the Grand Lodge may inflict a milder one ; if not sufficient, it may adjudge one more severe. It may sustain the judgment and revoke or alter the sentence, or it may set aside both together. It has, in short, sovereign jurisdiction in the premises, subject only to the limitations before mentioned.

If the decision of the Subordinate Lodge be affirmed, the Masonic standing of the accused will remain pre-

cisely as fixed by the decision of the subordinate tribunal.

If a new trial be awarded, the *status* of the accused will be, in the mean time, that of a Mason under charges.

Consideration of the effect of a reversal or modification of the decision appealed from will be deferred to the Chapter upon Restoration.

Where an appeal has been taken in a matter of general business or legislation to the Grand Master, an appeal from his decision to the Grand Lodge may be taken in the following form :

APPEAL FROM GRAND MASTER TO GRAND LODGE.

To the M. W. Grand Lodge of Free and Accepted Masons of the State of.....

The undersigned hereby appeals to you from the decision of the M. W. Grand Master, made in and by his order of....., A. L. 58..., in the case of the appeal of this appellant from the decision ofLodge, No..., to the said Grand Master, whereby the decision of said Lodge was sustained.

For the grounds of this appeal reference is hereby made to the particular statement of the same as made in the appeal from said Lodge to the Grand Master ; consideration of which is hereby respectfully asked.

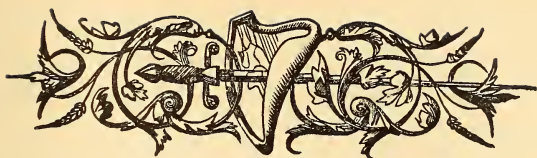
Dated....., A. L. 58...

A..... B....., Appellant.

Notice of this appeal should be given to the Grand Master and served upon the Subordinate Lodge.

It is the duty of the Grand Master, after receiving such notice, to make return of the case, with all papers and proofs pertaining thereto, and his decision in the premises, to the Grand Lodge at its next regular communication, for final review.





XII.

OF NEW TRIALS.

If the Grand Lodge is dissatisfied with the decision made below, but is still unwilling, either from inadequacy of proof or any other reason, to make any final order in the premises, it refers the case back to the subordinate Lodge for a new trial.

In the mean time (unless some further or different order be made by the Grand Lodge) the Masonic standing of the accused is that of a Mason under charges; for inasmuch as the decision of the subordinate tribunal has been reviewed by the Grand Lodge, and *not sustained*, but a new trial ordered, the Lodge must retrace its steps, and the old conviction and sentence (or acquittal, if that were the decision) stand for naught. The decision is annulled, though the proceedings continue.

The new trial proceeds, unless special order be made to the contrary, upon the charges and answer already on file, and begins at the introduction of the proofs. No amendments can be made of the charges

and specifications except under the like restrictions as at first, and none of the answer except upon application of the accused and permission of the Worshipful Master.

The proofs upon the new trial may be taken before the Lodge or before Commissioners, as the Lodge shall determine, without regard to which method was formerly pursued. If they be taken before Commissioners, the Worshipful Master may continue the Commissioners before appointed, or appoint new ones, in his discretion; but in either case there is the same right of objection as before.

In the matter of the selection of counsel, the same rules and the same right of objection apply as in the original trial.

From the opening of the proofs, the case proceeds under precisely the same rules and regulations as though it had never before been tried.

The parties are not limited to the evidence produced at the former trial, but either of them may introduce any new proofs he may please, subject only to those general rules which govern the introduction of proofs in all Masonic trials. But the proofs must begin and proceed *de novo*. The proofs taken and recorded upon the former trial cannot be received and considered as evidence of the facts therein stated, unless both parties shall freely consent that they be so considered. In other words, proofs made upon a

former trial cannot be treated as evidence in the new trial, unless they be made and introduced anew, in like manner as at first. The parties may stipulate to waive this rule of evidence, as they may any other; but if any such stipulation be made, it should be particularly minuted in the recording of the proofs.

Upon the final decision of the case, the Lodge may acquit or convict the accused, or inflict any one of the Masonic penalties, or none at all, as it shall deem most just; being governed in no respect whatever by its former action.

If, on account of some fault in the charges and specifications, or for any other reason, it shall be deemed unsafe or inexpedient to proceed to a new trial, the case may be entirely abandoned, and prosecution be instituted *de novo*, by the filing of new charges and specifications. The Lodge is not *obliged*, upon the case being remanded for new trial, to try it a second time. It then stands like any other case before the Lodge, ready for the introduction of proofs, and may be prosecuted or abandoned, as the Worshipful Master, with the consent of the Lodge, shall order.

If, upon new trial, the accused be a second time convicted, he may again appeal to the Grand Lodge; and no number of convictions or acquittals can exhaust the right of either party to appeal—a right inalienable and indestructible in every Mason.

In case the accuser do not proceed with the prose-

cution within a reasonable time after the remanding of the case for a new trial, the Worshipful Master may either appoint counsel and direct that the trial proceed, or dismiss the charges, as, in view of all the circumstances, he shall think to be proper; and the one or the other he ought most certainly to do; for the accused has the right here, as everywhere, to a speedy and impartial trial by his peers, while it is always the province of the Master to forbid a prosecution upon frivolous or insufficient charges. No Lodge or Master has the right to subject a brother to the disgrace and mortification of charges pending against him without a prospect of immediate trial. The Worshipful Master should make it a rule to dispose of every Masonic trial with all reasonable despatch, and in case of neglect or refusal to prosecute a case, to dismiss it from the Lodge.

A brother under sentence may obtain a new trial at once, without appeal, by exhibiting satisfactory reasons therefor to the Grand Lodge or Grand Master, who may thereupon order a new trial. But the Lodge can only grant a new trial by a unanimous vote. After a new trial is granted by the Lodge, precisely the same rules govern it as though it were granted by the Grand Lodge. A form of petition for new trial will be found in the chapter on Grand Lodge Trials, which can readily be adapted for use in the subordinate Lodge.



XIII.

OF RESTORATION.

RESTORATION is the reinstatement of a suspended or expelled Mason to his standing in the Order, either in whole or in part.

The effect of restoration may be the reinvestment of the delinquent with the rights and benefits of Masonry merely, without membership in any Lodge; or its effect may be to renew both his general rights as a Mason and his membership in a particular Lodge; according as the nature of the case shall be.

Restoration follows as the result of one of three different causes, viz. :

1. Act of law.
2. Act of the Lodge.
3. Act of the Grand Lodge.

Restoration occurs *by act of law* in case of definite suspension only. Where sentence of suspension for a fixed and determinate period is passed against a Mason, he is, upon the termination of that period, instantly restored to all those rights and privileges

from which he stood suspended ; without any further action either upon his own part or upon the part of the Lodge wherein the sentence was passed, but by mere operation of law. The termination of the sentence is the termination of the suspension ; and the punishment being expressly limited by the tribunal inflicting it, that punishment cannot be continued, nor any deprivation of Masonic rights extended, beyond the prescribed limit. This restoration is both to the rights of Masonry and to the rights of membership ; for suspension, as already remarked in the chapter upon Masonic Penalties, is not a total destruction, but a temporary interruption, of Masonic rights. But restoration from definite suspension does not revive any Masonic rights which did not exist at the time the sentence took effect. It restores the delinquent to his former position, and nothing more. If he holds an office when sentence is passed upon him, the sentence suspends him from his office, as from every other Masonic franchise ; and if his restoration occurs before his term of office expires, he is restored to his office as well as to every other franchise which he enjoyed at the time of passing of sentence upon him. If the office terminates before the sentence of suspension expires, of course there is no restoration to the office.

Restoration *by act of the Lodge* may occur in case of definite suspension, of indefinite suspension, or of **expulsion**.

If one under sentence of definite suspension shall by good behavior and apparent reformation seem to merit a remission of some portion of the penalty pronounced against him, the Lodge may, at any time before the expiration of the period of his suspension, restore him to all his former rights by a two-thirds vote. This action may be either by the voluntary motion of the Lodge, or upon petition of the brother under sentence. The effect of such restoration will be precisely the same as though the period of his sentence had elapsed, and he had been restored by operation of law.

The Lodge may restore from indefinite suspension in the same manner and for the same causes as in case of definite suspension, and with the like effect: the only difference between the two cases being, that where sentence of indefinite suspension is passed, no restoration can ever take place except by positive action of the Lodge or of the Grand Lodge; whereas restoration follows a sentence of definite suspension inevitably, and by force of law, upon the lapse of the sentence, but *may* take place by act of the Lodge or of the Grand Lodge before the expiration of that time. The Lodge cannot restore in either case except by a two-thirds vote.

A suspended brother may petition his Lodge for restoration without recommendation, but to claim the favorable consideration of the Lodge it is better to be recommended.

The Lodge cannot restore from expulsion except upon petition of the delinquent, with good recommendation, reference in regular order to the proper committee, and a *unanimous vote* of the Lodge in favor of the petitioner. Precisely the same steps must be taken as upon the election of a profane. The man under sentence of expulsion, although in possession of Masonic knowledge, is nevertheless, in contemplation of Masonic law, as much a stranger to the fraternity as though he had never been initiated, passed nor raised. He has no Masonic existence whatever ; and his restoration is, in legal effect, the making of a new Mason.

An expelled offender cannot be restored upon his verbal application merely ; he must petition in writing, setting forth his present standing and his desire for restoration, and his willing determination to abide henceforth by the rules of the Order. A petition for restoration, whether it be from one under sentence of suspension or expulsion, can only be presented to and received by the Lodge wherein the trial was had and sentence passed, or the Grand Lodge within whose jurisdiction said Lodge was held.

PETITION FOR RESTORATION.

To the Worshipful Master, Wardens, and Brethren of.....Lodge, No...., of Free and Accepted Masons.

The undersigned respectfully represents that he was formerly a member of said Lodge. That on or about theday of...., A. L. 58..., he was tried forunmasonic

conduct upon charges preferred against him in said Lodge, and that upon due conviction of said charges the said Lodge passed sentence of against him, which sentence is now in full force and effect.

That he is desirous of being restored to the rights and benefits of Masonry, and to his membership in said Lodge, and he hereby solemnly promises upon his honor, that if such restoration shall be granted him, he will ever yield a cheerful obedience to all the laws, rules, and customs of the fraternity.

Wherefore, he respectfully prays the said Lodge to restore him to his Masonic rights and membership as aforesaid.

Dated, A. L. 58 . . .

A B

Recommended by }
S T }
U V }

No subordinate Lodge except the one that passed the sentence is competent to restore from any of the disabilities attending the same.

Restoration can only be made at a regular communication, and while the Lodge is open upon the third degree. It cannot lawfully occur at any special communication, even though the same be called for that purpose.

The vote upon restoration from sentence of expulsion must be by ballot, which ballot is subject to the same rules as if cast for initiation.

Unconditional restoration from sentence of expul

sion, if made by a subordinate Lodge, restores the delinquent to all the rights he enjoyed at the time of his expulsion. If, at the time of his expulsion, he was a member of the Lodge, it restores him both to Masonry and to membership; if he was not a member, it restores him to Masonry only. But restoration from expulsion does not in any case restore to office; for by the sentence all personal and official rights are not simply suspended, but utterly destroyed, and nothing but a new election can reinvest the party with official power.

Restoration by *act of the Grand Lodge* takes place upon appeal or upon petition.

It has already been remarked, in the chapter upon Masonic Penalties, that the sentence or decision of the Lodge stands in full force in all cases, until formally revoked by the Grand Lodge. But if, upon the trial of an appeal, the sentence of expulsion or suspension passed in the Lodge be reversed by the Grand Lodge, such reversal reverts to the very root of the matter, and annuls the sentence from the beginning; so that the case then stands as though no sentence had ever been passed. Reversal of conviction and sentence upon appeal, has precisely the same legal effect as a judgment of acquittal would have had if passed by the Lodge in the first instance. It therefore follows as an inevitable result, that upon judgment of reversal being passed by the Grand Lodge as aforesaid, the

accused stands completely justified, and is at once reinvested with all his rights. He is perfectly restored, both to Masonry and to membership. Deprivation of membership was one of the results of the sentence; and as that sentence stands absolutely revoked and annulled, all of its results are revoked and annulled with it. The effect cannot continue without the cause. To still debar him of membership, would be to inflict punishment upon a man whom the highest judicial authority has pronounced entirely innocent. A Lodge can no more deprive a Mason of his membership without legal and sufficient reason, than of his general Masonic rights. It is true that each Lodge has the absolute right to admit to or exclude from its membership whomsoever it pleases, without dictation from the Grand Lodge; but this is not obliging the Lodge to *admit* a member who is distasteful to it; it is only saying to the Lodge, "You shall not unlawfully and unjustly *eject* a member whom you have freely admitted among your number." The question is purely judicial in its nature, and does not touch at all the right of the Lodge to admit or reject whoever it pleases; for *rejection* and *ejection* are widely different things. The action which a Lodge takes in passing judgment and sentence in a Masonic trial, and the action which it takes in balloting upon a petition for membership or initiation, are as dissimilar as the action of a court and of a legislative body.

There is therefore no real conflict between this righteous and well-supported principle, and the principle of that independent control which the Lodge has over the question of membership, as some have vainly argued. Besides, the very jurisdiction which the Grand Lodge has of the appeal, necessarily presupposes and implies the authority to determine all matters connected therewith.

In combating the erroneous opinion, advanced by some, that such a reversal reinstates the accused in Masonry only, and not in his membership, Dr. Mackey observes: "Who will dare to say that a Lodge may thus, by an arbitrary exercise of power, inflict this grievous wrong on a brother, and that the Grand Lodge has not the prerogative, as the supreme protector of the rights of the whole fraternity, to interpose its superior power, and give back to injured innocence all that iniquity or injustice would have deprived it of? Who will dare to say, in the face of the great principles of justice and equity, that though innocent, a Mason shall receive but a portion of the redress to which he is entitled, and that he shall be sent from the interposing shield of the supreme authority and highest court of justice of the Order, not protected in his innocence and restored to his rights, but as an innocent man, sharing in the punishment which should only have been awarded to the guilty? A doctrine so full of arbitrary oppression and injustice would be to

every honest man the crying reproach of the institution."

That eminent civil and Masonic jurist, Albert Pike, in commenting upon this question, says: "If, in case of trial and conviction, suspension or expulsion from the rights and benefits of Masonry is adjudged, that includes, as a part of itself, suspension or expulsion from membership. If, on appeal, the Grand Lodge reverses the decision of the subordinate, on the ground of error in the proceedings, or of innocence, that reversal *annuls* the judgment, and it is as if never pronounced. Consequently it has *no effect whatever*; and, in Masonic law, the matter stands as if no such judgment had ever been rendered. The effect of reversal is, that the accused was never suspended nor expelled at all, in law; and there is no power in the Grand Lodge, either by judgment or by previous legislation, to give such judgment or reversal any other or less effect. These principles of Masonic law seem to us so palpably plain and correct as to need no argument; and if violated anywhere, we hope to see the ancient landmarks set up again in this respect."

The Grand Lodge restores, in the second instance, upon the petition of one who is under sentence of expulsion or suspension, where the legality or justice of the sentence is not denied. In this case it is not redress against the wrongful act of an inferior tribunal that is asked, or granted, but a favor proceeding out of

the clemency and grace of the supreme power. It is in the nature of a pardon, or remission of a penalty lawfully imposed, based upon the fact that the party has abandoned his wickedness, and given assurance, by evident reformation, of honorable conduct for the future.

In this case the Grand Lodge may, by its prerogative of mercy, restore the petitioner to the rights and benefits of Masonry, but not to his membership in any Lodge. The reason of this is evident. The sentence having never been questioned nor revoked, nor its justice denied, the petitioner stands totally deprived of his Masonic rights and membership. He comes not in the character of an appellant, but of a stranger; not as a litigant within the Order, but as a stranger from without. His Masonic rights and his membership being utterly lost, or completely suspended, a *new admission* must be granted by the appropriate jurisdiction before he can again enjoy either. The Grand Lodge has power to invest him with the rights and benefits of Masonry, but not to admit to membership in any Lodge. Only by consent of the Lodge itself can new members be admitted into its own body. The Masonic standing of a brother thus restored by the Grand Lodge is, therefore, that of an unaffiliated Mason; and he may petition and be admitted to membership in any Lodge within the jurisdiction of the Grand Lodge by which he was restored;

for it is against the spirit of Masonry to encourage or enforce non-affiliation.

Thus it will be seen that a very material difference exists between restoration upon appeal and upon petition to the Grand Lodge. In fact, the former can scarcely, in strict propriety, be denominated a *restoration*, though it is invariably treated under that title: it is rather the nullifying or setting aside of an unlawful or unjust sentence; whereas the latter is founded upon the express admission that the original sentence was lawful and just. The former removes every deprivation, both of fraternity and membership; the latter restores to Masonry, but not to membership. The former is granted as a matter of justice; the latter as a matter of grace. The former is judicial; the latter is non-judicial. The former moves to a litigant brother within the Order; the latter to a petitioning stranger without.

The Grand Lodge has equal power to restore, whether the sentence be that of a subordinate Lodge, or its own; and whether it be that of expulsion, or of definite or indefinite suspension.

A petition to the Grand Lodge for restoration should be substantially the same as that to a subordinate Lodge, a form for which is given in a former part of this chapter. It should specify the former standing and membership of the petitioner, the Lodge wherein he was tried, the nature and date of the sentence, his

purpose to abide by the rules of the Order, and close with a prayer for restoration. The address should be to the Grand Lodge by its official title, and it should be accompanied with the recommendation of the Lodge by which the sentence was passed, if possible to obtain it, together with an avouchment and recommendation from at least two members or officers of the Grand Lodge.





XIV.

OF GRAND LODGE TRIALS.

THE Grand Lodge is a representative body, the membership and organization of which is regulated by its own constitution; in some jurisdictions the Worshipful Masters of chartered Lodges being alone admitted to membership, and in others both the Masters and Wardens, or their proxies.

Grand Lodges, as at present organized, are of comparatively modern date, having existed only from the beginning of the 18th century of the Christian era. Yet from time immemorial the craft were accustomed to convene in what were called "General Assemblies." These "Assemblies" were a convocation of all Masons living within certain limits, with supreme and exclusive power, when so convened, over all matters concerning the welfare of the Order, whether of a legislative, executive, or judicial character. As a matter of convenience and economy, our Grand Lodges are at present composed of representatives instead of the aggregate membership of the craft;

yet they are to all intents and purposes the lawful successors of the ancient General Assemblies, with all the powers and prerogatives of those bodies, except so far as they may have been delegated to the subordinate Lodges.

Our Grand Lodges are usually bodies corporate under the laws of the State or country in which they are located, with full power to sue and be sued, purchase, hold or grant real and personal estate, make contracts, enact by-laws and regulations, and do all other things which private corporations may of right do.

There is no organization in symbolic Masonry within the United States, higher than the Grand Lodges of the several States; each Grand Lodge being independent of every other, and being responsible to no superior jurisdiction. There have been several attempts to organize a "General Grand Lodge of the United States," but the object has never been fully accomplished; and in each instance, all parties have become convinced, upon mature deliberation, that such an organization was not desirable, and that its existence would be productive of greater harm than good.

In Capitular Masonry, the General Grand Chapter of the United States, and in the Orders of Masonic Knighthood, the Grand Encampment of the United States, have each a jurisdiction co-extensive (or very nearly so) with the United States. The particular con-

sideration of their powers will be deferred to that portion of this work which treats of Trials in Chapters and Commanderies.

In the United States, the jurisdiction of each Grand Lodge is coextensive and coterminous with the limits of the State within which it is established; and within said jurisdiction it is the supreme Masonic authority. Its powers are plenary and absolute, except as they are limited by the ancient and immutable Landmarks of Freemasonry (Gen. Reg. of 1721, No. 39); its corporate and civil powers being of course limited by the legislative acts of incorporation. It holds a general supervisory control of the craft, and faithful allegiance and implicit obedience are due to it from all subordinate Lodges and individual Masons within its jurisdiction.

The Masonic functions of the Grand Lodge are usually considered under three heads, viz.:

1. The Legislative.
2. The Executive.
3. The Judicial.

Only the judicial branch of its powers is properly within the scope of this treatise, and hence the legislative and executive departments will not be here considered; the reader being referred, for information upon those topics, to those works in which the general system of Masonic jurisprudence is elaborated.

As the supreme judicial authority, the Grand Lodge

has both *appellate* and *original* jurisdiction. Its appellate jurisdiction extends, with certain exceptions, to the acts and decisions of every Masonic body, tribunal, and officer beneath it, and has been already sufficiently considered under the title of Appeals.

The original jurisdiction of the Grand Lodge is either *exclusive* or *concurrent*. It is exclusive over subordinate Lodges and Masters of Lodges, in questions between different Lodges, and in the interpretation and enforcement of its own constitution, by-laws, and regulations within its own body, and among its own officers and agents. It is concurrent with that of the subordinate Lodges over all Masons, affilant and non-affilant (except the Grand Master and Worshipful Masters), within its territorial limits, and in the construction and enforcement of the general laws of Masonry. Although it is the common practice for all trials within the purview of such concurrent jurisdiction to have their inception in the subordinate Lodge, and although this practice is, except in some peculiar cases, by far the more expedient, yet the Grand Lodge may at all times exercise its original jurisdiction. In brief, the original jurisdiction of the Grand Lodge, as to all judicial matters, and matters of Masonic discipline, is universal within its territorial limits, except for violations of the particular by-laws and internal regulations of subordinate Lodges; in which

case each Lodge has exclusive original jurisdiction, from which appeals lie to the Grand Lodge.

The Grand Lodge has exclusive penal jurisdiction over the Grand Master, to be exercised according to such regulations as shall be prescribed by the Grand Lodge itself. (Gen. Reg. of 1721, No. 19.) But, with honor to our Grand Masters be it said, there has never yet been an instance where such interposition has been necessary; every Grand Master having borne himself in a manner worthy of the dignity of his high office.

Charges against a Lodge or a Master can only be preferred to the Grand Lodge, and are framed upon the same general principles as charges preferred in a subordinate Lodge against an individual Mason.

CHARGES AGAINST A LODGE.

To the M. W. Grand Lodge of Free and Accepted Masons of the State of.....

.....Lodge, No....., of Free and Accepted Masons, is hereby charged with wilful violation of Section ... of Article... of the Constitution of said Grand Lodge, in this—to wit:

Specification 1. That said Lodge has for more thanlast past neglected to assemble.

Specification 2. That said Lodge has for.....years last past neglected to make returns or pay dues to said Grand Lodge.

All of which is contrary to Masonic law, and tends to the wrong and injury of said Grand Lodge and of the

Craft; wherefore it is demanded that said Lodge be put upon trial therefor, and dealt with according to Masonic law and usage.

Dated....., A. L. 58....

C..... D....., Accuser.

CHARGES AGAINST A MASTER.

To the M. W. Grand Lodge of Free and Accepted Masons of the State of.....

O..... P....., Worshipful Master of..... Lodge, No. ..., Free and Accepted Masons, is hereby charged with gross unmasonic conduct, in wilfully violating Section.... of Article.... of the Constitution of said Grand Lodge, in this—to wit:

Specification 1. That the said O. P., while presiding as Worshipful Master of said Lodge, at a regular communication thereof, held on the day of, A. L. 58...., did in open Lodge (here state the particular offence).

Said O. P. is further charged with unmasonic conduct, and with a wilful violation of his official duties and obligations, in this—to wit:

Specification 2. That the said O. P. did, at a regular communication of said Lodge, held on the day of, A. L. 58...., raise one W. F. to the sublime degree of a Master Mason, after the ballot for the advancement of the said W. F. had been inspected and declared not clear, and against the protest of the brethren.

Which acts of the said O. P. are in violation of his duties and obligations as a Mason and as a Worshipful Master, and to the scandal and disgrace of the Masonic fraternity; wherefore it is demanded that the said O. P. be put upon trial before said Grand Lodge, and dealt

with according to Masonic law and usage; and it is further demanded and prayed that the M. W. Grand Master do forthwith suspend the said O. P. from his office of Worshipful Master until the next annual communication of said Grand Lodge.

Dated....., A. L. 58...

C..... D....., Accuser.

The charges should be filed with the Grand Secretary. The Grand Master, upon being made acquainted with their contents, orders the issuing of summons to the accused, commanding him to appear and answer within a time prescribed in the summons, and makes such other order as the case may demand. If the charges be against a Lodge, he may arrest its charter until the trial; if against a Master, he may forthwith suspend the accused from his office for a like period.

The Grand Secretary serves the summons, accompanied by any interlocutory order which the Grand Master may make, and a certified copy of the charges, upon the accused, or causes the same to be done.

ORDER OF GRAND MASTER, ARRESTING CHARTER OF
LODGE.

OFFICE OF THE GRAND MASTER OF MASONS, }
OF THE STATE OF, }
....., A. D. 18.., A. L. 58...

In the matter of Lodge, }
No...., of F. and A. Masons. }

Upon the filing of charges and specifications against said Lodge by R. S., and upon good cause appearing, by virtue of the power and authority in me vested as

Grand Master of Masons in the State of, I do hereby order that the charter of said Lodge be, and the same is hereby arrested, and the opening and working of said Lodge thereunder forbidden until the trial and decision of said charges and specifications by the Grand Lodge; and that the Worshipful Master of said Lodge do forthwith deliver said charter to the Grand Secretary, to be by him retained, subject to such order as the Grand Lodge shall make.

Witness my hand at, the date above written.

A. T. M., Grand Master.

ORDER OF GRAND MASTER, SUSPENDING WORSHIPFUL
MASTER FROM OFFICE.

OFFICE OF THE GRAND MASTER OF MASON, }
OF THE STATE OF, }
., A. D. 18., A. L. 58. . . }

IN THE MATTER }
OF }
BROTHER O. . . P. . . }

Upon the filing of charges against Brother O. P. Worshipful Master of. Lodge, No. . . ., of Free and Accepted Masons, and upon good cause appearing, by virtue of the power and authority in me vested as Grand Master of Masons in the State of, I do hereby order that the said O. P. be, and he is hereby suspended from the functions of his office as Worshipful Master, and forbidden to exercise the same, until the trial and decision of said charges by the Grand Lodge.

Witness my hand at, the date above written.

A. T. M., Grand Master.

The proofs are usually taken by Commissioners appointed by the Grand Master or the Grand Lodge.

The powers of the Grand Master in connection with a Grand Lodge trial, correspond very nearly with those of a Master upon a trial in a subordinate Lodge. The same general rules as to counsel, proofs, and notice apply; and upon the coming in of the report of the Commissioners, the steps to be taken are substantially the same as in a subordinate Lodge, though the particular method of procedure in any trial is entirely at the option of the Grand Lodge. All judicial action in the Grand Lodge is taken by a majority vote, which vote may be reconsidered under such regulations as the constitution or by-laws shall prescribe.

The Grand Master has power, in case of emergency, to convene the Grand Lodge specially for the purposes of a trial. No judicial action can be taken in any case unless there be present a constitutional quorum for the transaction of business.

In some jurisdictions the general judicial business of the Grand Lodge, original as well as appellate, is referred to a Court of Appeals for investigation and adjudication, which is in reality only another method of trial by the Grand Lodge itself; such court being the immediate agent and referee of the Grand Lodge. The decisions of such court, being in effect the decisions of the Grand Lodge itself, are of like force as though made by that body. For further remarks in this regard the reader is referred to the chapter on Appeals.

Upon individual delinquents the Grand Lodge in-

flicts any of the Masonic penalties, in its discretion. A delinquent Lodge is usually punished by arresting or revoking its charter.

Upon the ground of manifest error or mistake, newly discovered evidence, or other sufficient cause, the Grand Lodge may, upon application of either party, grant a new trial within its own body. If the Grand Lodge be not in session, application for new trial may be made to the Grand Master, who has in the *interim* full power to grant the same.

APPLICATION FOR NEW TRIAL.

To the M. W. Grand Lodge of Free and Accepted Masons of the State of..... (Or to the M. W. Grand Master of, etc.)

The undersigned hereby requests that a new trial be granted in the matter of (here designate the case), for the following reasons, to wit:

1. Because he has discovered since the trial of said matter, and is now able to produce, the following new evidence, to wit: (Here set forth the new evidence.)

2. Because the Grand Lodge was misled, and great injury wrought to the undersigned, by the testimony of G. M., whose testimony the undersigned is now able to show, by the testimony of B. W. and L. N. (or any other testimony), was false and untrue in the following particulars (state in what particulars), which testimony of the said G. M. the undersigned was unable to rebut at the said trial.

3. Because the Grand Lodge erred in passing judg-

ment upon said matter when there was not a constitutional quorum present. (Here state the proof of the fact.)

4. Because the decision of the Grand Lodge was contrary to the law and the evidence in this, to wit: (specify the error.)

Dated....., A. L. 58...

A..... B.....

A new trial will not be granted by the Grand Lodge, as a general rule, unless the application therefor be made within the time limited for taking appeals from subordinate Lodges.

But upon good cause being shown for the delay, new trial may be granted at any time; and of the sufficiency of such cause the Grand Lodge or the Grand Master is the judge.

ORDER BY GRAND MASTER FOR NEW TRIAL.

OFFICE OF THE GRAND MASTER OF MASONS, }
OF THE STATE OF....., }
....., A. D. 18., A. L. 58... }

IN THE MATTER }
OF }
BROTHER A... B... }

Upon application of the said A. B., and upon good cause to me shown, by virtue of the power and authority in me vested as Grand Master of Masons in the State of, I do hereby order that a new trial be had in the said matter, and that the same be brought on for hearing before the Grand Lodge at the next annual communication thereof.

And further, that a copy of this order be served upon within days from the date hereof.

Witness my hand at the date above written.

A. T. M., Grand Master.

The granting of a new trial before the Grand Lodge is attended with the like effects, as to the former decision or sentence, and the Masonic standing of the accused, as in trials before a subordinate Lodge; and the trial proceeds upon the same general principles as in the first instance.





XV.

POWERS OF THE GRAND MASTER IN TRIALS AND APPEALS.

THERE is one other subject which, although not strictly within the purview of any of the particular divisions under which Masonic Trials are treated in the foregoing pages, is still necessary to the proper completion of a treatise of this nature; and it has accordingly been reserved for separate consideration.

The subject is that of the powers of the Grand Master as pertaining to judicial matters; including the question of the legality of appeals to him in certain cases, as the presiding head of the craft. The inquiry is not without its difficulties; for notwithstanding the importance of the principles involved, a wide diversity of opinion exists among the most eminent Masonic jurists in regard to some of them; and hence occasion will be here taken to discuss with particularity some points that have been only briefly mentioned, or incidentally alluded to, in the preceding chapters.

In the chapter upon the Tribunal it has been already

remarked, that the only judicial tribunals known in Ancient Craft Masonry were Lodges and Grand Lodges. In that portion of the old York Constitutions of A. D. 926, denominated the "Fifteen Points," we find the following laid down as the tenth point: "If a Mason live amiss, or slander his brother, so as to bring the craft to shame, he shall have no further maintenance among the brethren, but shall be summoned *to the next Grand Lodge*; and if he refuse to appear, he shall be expelled." Dr. Mackey, in commenting upon the judicial powers of the Grand Lodge, says: "There is no fact in the history of Masonic jurisprudence more certain, than that the General Assembly, or Grand Lodge, always in ancient times exercised an original jurisdiction and supervision over the craft;" and he might have added with equal truth, that the exclusive power to hear and determine Masonic trials was auciently in the same grand body. We nowhere find, either in the Ancient Landmarks or in the Ancient Constitutions of 926, any provision recognizing or implying the existence of this power in the Grand Master, nor yet in the subordinate Lodges. But by the fifth section of the Constitutions of Edward III., 1427-77, a portion of that penal jurisdiction that had before rested solely in the Grand Lodge or General Assembly, was delegated to the subordinate Lodges, in the words following: "That at such congregations (*i. e.*, Lodges) it shall be inquired whether any Master or Fellow has

broken any of the articles agreed to. And if the offender, being duly cited to appear, prove rebel, and will not attend, then *the Lodge shall determine against him* that he shall forswear (or renounce) his Masonry, and shall no more use this craft." And again, by the ninth section of the General Regulations of 1721 (which, though of comparatively modern date, are usually classed with the more ancient law of Masonry) it is provided that, "If any brother so far misbehave himself as to render his Lodge uneasy, he shall be twice duly admonished by the Master or Wardens *in a formed Lodge*; and if he will not refrain his imprudence, and obediently submit to the advice of the brethren, and reform what gives them offence, *he shall be dealt with according to the by-laws of that particular Lodge*, or else in such a manner as the quarterly communication shall think fit; for which a new regulation may be afterward made." But neither by the Ancient Landmarks, nor the Ancient Constitutions, nor the General Regulations of 1721, is any power to hear and determine Masonic trials conferred upon, or recognized as existing in, the Grand Master.

It is certain, then, that the only tribunals with full judicial powers that are known in ancient Freemasonry are Lodges and Grand Lodges; for while it is true that Grand Lodges, as at present organized, are of comparatively modern date (the beginning of the 18th century of the Christian era), yet from time immemorial

it was the custom of the craft to convene annually, or oftener, in General Assembly; which assembly was a convocation of all Masons living within a particular district or jurisdiction, with supreme and exclusive power, when so convened, over all matters, whether legislative, executive, or judicial, touching the welfare of the Order; and although our Grand Lodges are at present, for the sake of convenience and economy, composed of representatives instead of the aggregate membership of the craft, yet they are in every respect the regular and lawful successors of the former General Assemblies, and in them are vested all the powers and prerogatives of those ancient bodies, except so far as the same have been delegated to the subordinate Lodges. Hence, while the Grand (and Worshipful) Masters have certain very important incidental powers pertaining to Masonic trials, yet they cannot try, sentence, nor punish; and whatever action they may take in the premises is subject to review by the body whose instrument they are—namely, the Grand Lodge; for they are but the agents, in legal contemplation, of that supreme tribunal, for the administration of Masonic justice,—the Grand Lodge being the sole fountain, not only of justice, but also of all judicial power within the Order.

Now let us consider the powers of the Grand Master relative to appeals. The thirteenth of the Ancient Landmarks declares the inalienable “right of every

Mason to appeal from the decision of his brethren in Lodge convened *to the Grand Lodge*, or General Assembly of Masons." Previous to the Constitutions of Edward III., these appeals must have been only as to decisions touching the work or general business of the Lodge; for until that time no Masonic trials for offences could ever occur there; the power to hear the same not having been delegated by the General Assembly. In the thirteenth of the General Regulations of 1721 it is provided: "At the said quarterly communication all matters that concern the fraternity in general, or particular Lodges, or single brethren, are quietly, sedately, and maturely to be discoursed of and transacted. * * * * Here also differences that cannot be made up and accommodated privately, *nor by a particular Lodge*, are to be seriously considered and decided. And if any brother thinks himself aggrieved by the decision of this board, *he may appeal to the annual Grand Lodge next ensuing*," etc. The twenty-eighth of the same Regulations provides, as a part of the business of the Grand Lodge, "*to receive any appeals* duly lodged, as above regulated, that the appellant may be heard," etc. Here we find no power vested in the Grand Master to hear appeals, nor any right conferred of appeal to any other tribunal than the Grand Lodge. Whence, then, arises that practice (which, by long usage and wide-spread recognition, has acquired the force of law) of appealing from those

decisions of the Lodge pertaining to work or general business, directly to the Grand Master himself, during the recess of the Grand Lodge? Is it dependent solely upon immemorial custom for its legality? or is it based upon some positive enactment? Though appeals from the Lodge to the Grand Master may be of rare occurrence in some jurisdictions, yet in many they occur continually, and as a matter of course; and their legality is not questioned by any authority that I have been able to consult.

We find the powers of the Grand Master to be derived from two sources; namely, from prerogative and from grant. Those derived from the former source are inherent in his office, and pertain to it indefeasibly, independent of any authorization or sanction by the Grand Lodge, or by any body of Masons whatever. Those derived from the latter source are delegated to him by act of the General Assembly or Grand Lodge. In the enumeration of the several branches of the prerogative of the Grand Master we find the following, viz.: "To exercise a general supervision and government of the fraternity in his jurisdiction, during the recess of the Grand Lodge." By common consent of all Masons throughout the world, this has been from time immemorial an unquestioned branch of his prerogative. In the sixteenth of the General Regulations of 1721 it is provided that "the Grand Wardens, or any others, are first to advise with

the Deputy *about the affairs of the Lodge* or of the brethren, and not to apply to the Grand Master without the knowledge of the Deputy, unless he refuse his concurrence in any certain necessary affair; in which case, or in case of any difference between the Deputy and the Grand Wardens, or other brethren, both parties are to *go by concert to the Grand Master*, who can easily decide the controversy, and make up the difference by virtue of his great authority." Here we have a positive enactment, by the highest Masonic authority, which clearly and expressly contemplates the appealing of disputed questions *concerning the affairs of the Lodge* to the Grand Master during the recess of the Grand Lodge. But nowhere in the circle of Masonic jurisprudence do we find any power in the Grand Master to entertain an appeal from the decision of a subordinate Lodge in a *Masonic trial*, had upon charges preferred against an individual brother for a Masonic offence, and where *guilt or innocence* is the question involved; nor has his prerogative of general supervision of the craft during the recess of the Grand Lodge ever been so construed by any ancient authority. Yet the appealing of cases of this character to the Grand Master is not altogether unknown, though it is happily rare, in the United States.

After a careful consideration of the law, the following conclusions seem to be legitimate.

1. Lodges and Grand Lodges are the only tribunals

having jurisdiction to try and punish for Masonic offences.

2. The powers of Masters and Grand Masters, as pertaining to *Masonic trials*, are incidental only, and their acts in the premises are subject to review by their superior, the Grand Lodge.

3. It is lawful to appeal to the Grand Master, in the *interim* of the Grand Lodge, upon questions relating to the general affairs and business of the Lodge.

But the practice of appealing to the Grand Master from the decision of the Lodge in trials for Masonic offences, where the question of *guilt or innocence* is involved, is of extremely doubtful legality, and ought to be discouraged.

4. That from the decision of the Grand Master upon any appeal, or upon any question submitted to him, a final appeal may be taken to the Grand Lodge, the decision of that Grand body being alone *final* in any case.

5. That the power of the Grand Master to make any interlocutory order, as of temporary suspension from office, arrest of charter, stay of proceedings, and the like, extends equally to original cases and to cases coming up on appeal.

6. That any order which the Grand Master may make in a case will be of binding force until reviewed by the Grand Lodge; he being, during the *interim*, the temporary ruler of the craft.

The writer is fully aware of the great conflict of authority that exists regarding some of the propositions above laid down ; but when we consider the hasty and often inconsiderate action of many of our Grand Lodges, and the unsettled condition of a large portion of our Masonic jurisprudence, the disagreement which we find among the most intelligent craftsmen is matter of but little surprise. To rehearse the arguments *pro* and *con*, would be to expand this volume to ten times its intended size. After having laboriously followed the arguments and fancies of many writers, the author, becoming convinced of the correctness of the foregoing conclusions, has been content to cite only the undisputed language of the ancient and fundamental law ; for upon that all true interpretation must be based.



TRIAL



THE CHAPTER.

THE general and fundamental principles of justice are the same, *semper et ubique*; but the different systems under which that justice is administered will vary more or less in their forms of procedure and methods of operation, according as those systems differ in their general objects and operation.

Hence we have found, in our inquiries concerning the law of trials in symbolic Masonry, that as to forms and methods, and those incidental regulations which relate to practice only, a Masonic trial differs widely from a trial under the municipal law; and yet the same broad principles of equity, the same ideas of justice, underlie and pervade them both. We discern in both the same grand object of all criminal legislation—namely, the protection of the body politic against the violence and crime of individuals; at the same time protecting the individual under accusation by all the forms of a fair and impartial trial by his peers, with the fullest opportunity for self-defence. In both, we find the jurisdic-

tion of the court limited to certain territorial boundaries, to certain individuals, and to certain classes of wrongs. We find in both the same presumption of innocence in favor of the accused, the burden of proof being always upon the prosecution. In both is recognized the right of either party to call in the aid of one learned in the law, to act as his counsel and advocate his cause. In both there is the same great right of redress against errors upon the trial, by resort to a superior tribunal.

As we pass from the consideration of trials in the Lodge to trials in the Chapter, we shall not only discover the constant prevalence of those all-pervading and fundamental principles just mentioned, but shall observe a closer similarity in the forms and methods of procedure in symbolic and capitular Masonry than is to be found between any other two organizations. The reason of this is apparent. The first three degrees are the source and foundation of all the superior bodies in the York rite. From them are derived the ethics, the philosophy, the symbolism, and the jurisprudence which beautify, sustain, and govern the whole vast fabric of Freemasonry. Symbolic Masonry is the most ancient, the most potent, and the most sublime of the grand divisions of the York rite. It is the sun and source from whence emanates whatever of light and truth is to be found in any apartment of our mystic temple.

But while this is true, there are certain minor points of difference between judicial proceedings in the Lodge and Chapter (resulting mainly from the different internal organization of the two bodies) which need to be carefully noted. There is, however, aside from the dissimilarity as to internal organization, a further and important source of the differences of practice existing between the Lodge and Chapter; namely, that of a general grand organization for the entire country. As already remarked in the chapter upon Grand Lodge Trials, there is in symbolic Masonry no general organization of superior jurisdiction over the Grand Lodges. The Grand Lodges within the several States are independent and sovereign (subject, of course, to the Ancient Landmarks) within their particular jurisdictions, owing allegiance to no superior body whatsoever. But in capitular Masonry there is a national, central organization. "The General Grand Chapter of Royal Arch Masons of the United States of America" holds a general jurisdiction over all Chapters established by itself within the United States, and all others which recognize its jurisdiction. But this General Grand Body is formed strictly upon the principle of *confederation*; and it has no power of discipline, admonition, censure, or instruction over the Grand Chapters, nor any legislative powers except such as are specially granted. (See Const. of G. G. Chap., Art. 1, Sec. 2.) Nevertheless, its rulings and decisions upon questions

of Masonic law have always great weight with the craft everywhere; and are usually followed, even by general and subordinate bodies not within its constitutional jurisdiction.

The Grand Chapters of the States of Pennsylvania, Virginia, and Florida, having been organized under other auspices, and having never identified themselves with the General Grand Chapter, are not within its jurisdiction. The Grand Chapters of Vermont, Rhode Island, Iowa, Kentucky, North Carolina, Alabama, Georgia, and Texas have assumed to withdraw from the Supreme National Body, but the General Grand Chapter still holds them as subject to its jurisdiction, and at its twentieth triennial convocation, held at St. Louis, in 1868, adopted an edict to the effect that no State Grand Chapter, organized under the authority of the General Grand Chapter of the United States, or which has at any time become a constituent member thereof, can lawfully sever its connection with the General Grand Chapter without its consent, the allegiance of the said Grand Chapters to the General Grand Chapter being inalienable. That admirable spirit of magnanimity, and that uniform good sense which have always characterized the Brotherhood throughout the United States, will, without doubt, soon bring this unfortunate disagreement as to the question of allegiance to an amicable adjustment.

Keeping constantly in view, then, that general

similarity which pervades all Masonic trials, in whatever bodies they may occur, let us pass to the consideration, somewhat in detail, of a trial in a Chapter of Royal Arch Masons.

That which first demands attention is

THE OFFENCE.

The general definition of a Masonic offence, given in the opening of the Chapter upon Masonic offences, in a former part of this work, applies with equal force in Chapter jurisprudence ; and the same general rules of interpretation govern the question in the one case as in the other. But a violation of the particular By-Laws and regulations of the Lodge would not subject a companion to discipline in the Chapter ; for the Chapter takes no cognizance of the private government of the Lodge, and *vice versa*. Not so, however, in case of violation of any of the *obligations* of the Lodge degrees ; for to whatever grade a Mason may advance, he carries with him, in all their binding force, the obligations of every inferior degree. He does not upon taking the Chapter degrees, cease to be a Master Mason.

THE TRIBUNAL.

For the purpose of a trial in the Chapter, the tribunal must be composed of Royal Arch Masons alone.

The Chapter must be duly chartered, its officers regularly elected and installed, and in all respects a

regular working Chapter, before it can hear or determine a Masonic trial. Chapters under dispensation have no judicial powers.

The Chapter cannot be opened, nor entertain charges, unless there be present at least nine regular Royal Arch Masons.

The High Priest presides at the trial, and his powers and functions are similar in all respects, as regards the trial, to those of the Worshipful Master of a Lodge under like circumstances. When the High Priest is absent, his duties must be performed by the King, if present. If both the High Priest and King are absent, the Scribe takes the chair. The High Priest may call any Past High Priest temporarily to the chair during a trial, who may, while in the chair, exercise all the powers of the High Priest. But a Past High Priest cannot open the Chapter and preside, unless either the High Priest, King, or Scribe be present; nor then, without the direction or consent of the proper officer.

The trial must begin at a regular convocation, and the Chapter must be open upon the highest degree to which the accused has attained. After the trial it properly begun, it may continue at special convocations called for that purpose, which would, in such case, be considered only a continuation of the regular.

The presence of visitors ought not to be permitted during any portion of the trial.

THE JURISDICTION.

The question of jurisdiction is regulated by the same general principles in the Chapter as in the Lodge, except as varied by special enactment of the several Grand Chapters; and the same distinctions as regards personal and territorial jurisdiction prevail in the one case as in the other.

The High Priest is exempt from the penal jurisdiction of his Chapter, in like manner as a Master is exempt from that of his Lodge. The exemption of the Grand High Priest is also analogous to that of the Grand Master; the Grand Chapter alone having penal jurisdiction over him.

A Chapter has exclusive jurisdiction in all cases of violation of its own By-Laws and regulations. As to all general Masonic offences, it holds a concurrent jurisdiction with the Lodge.

Mark Masters, Past Masters, and Most Excellent Masters are subject to the penal jurisdiction of the Chapter, and must be tried upon the highest degree to which the accused has attained, until the ballot is reached, which must in every case be taken upon the Royal Arch degree.

Non-affiliants and sojourners are subject to the jurisdiction of the Chapter where they reside.

CHARGES AND ANSWER.

Precisely the same rules regulate the drafting,

introduction, and service of the charges, the issuing, service, and return of the summons, and the appearance and answer of the accused in the Chapter as in the Lodge; with the exception, of course, of such particular changes as may be made by the several Grand Chapters.

The following forms, adapted for use in Chapter trials, will sufficiently illustrate this portion of the subject.

FORM OF CHARGES.

To the M. E. High Priest, King, Scribe, and Companions of.... Chapter, No.... of Royal Arch Masons:

Companion A. B., a Royal Arch Mason (or M. M., P. M., or M. E. M.) of..... (here state the residence, membership, affiliation, non-affiliation, or other Masonic standing of the accused) is hereby charged with un-masonic conduct, in this—to wit:

Specification 1.—That the said A. B., on the.... day of...., A. L. 58...., A. I. 23...., at the town (village, or city) of....., in the County of....., State of....., did violently assault and strike Companion C. D.

Specification 2.—That the said A. B., on the day and at the place aforesaid, did speak and use toward the said Companion C. D. the following scandalous and insulting language, to wit: (here set out the words used.)

Specification 3.—That the said A. B., on the day and at the place aforesaid, did, in presence and hearing of several persons, speak and utter of and concerning the said Companion, C. D., the following slanderous and malicious words, to wit: (here set out the words.)

All of which acts of the said A. B. were in violation of his duties and obligations as a Mason, and to the injury of the said C. D., as well as to the scandal and disgrace of the Masonic Fraternity; wherefore it is demanded that the said A. B. be put upon trial therefor, and dealt with according to Masonic law and usage.

Dated....., A. L. 58. ..., A. I. 23...

C..... D....., Accuser.

FORM OF SUMMONS.

To Companion A. B.:

You are hereby summoned and required to appear at the regular convocation of..... Chapter, No..., of Royal Arch Masons, to be held at Masonic Hall, at, in the County of....., State of....., on the day of....., A. L. 58..., A. I. 23..., at.... o'clock P. M., then and there to make answer to charges and specifications now on file against you in said Chapter, a true copy of which charges and specifications is hereto annexed.

Dated....., A. L. 58..., A. I. 23...

By order of the Chapter,

E..... F....., Secretary.

Seal of
the
Chapter

FORM OF ANSWER.

To the M. E. High Priest, King, Scribe, and Companions of Chapter, No... of Royal Arch Masons:

In the matter of the charges and specifications introduced in said Chapter by C. D., against A. B., comes the

said A. B. in person (or by Y. Z., his counsel), and answers as follows, namely:

As to specification first, he admits that he did assault and strike the said C. D.; but he alleges that he did the same in necessary defence of his own person (family, or property), the said C. D. having then and there first assaulted him; and he further alleges that he used no more force than was necessary to repel the injury which the said C. D. then and there attempted against him. (Here insert any other material facts in justification.)

As to specification second, he admits that he did use toward the said C. D. the words therein specified; but he alleges that he was greatly provoked thereto by violent and abusive language then and there used toward him by the said C. D., which language was as follows: (Here set forth the language, and any other material facts in extenuation.)

As to specification third, he says that he is not guilty.

Dated . . . , A. L. 58 . . . , A. I. 23 . . .

A B , Accused.

For full and particular information regarding the various forms of charges, specifications, and answers, the reader is referred to the chapters upon the Charges and the Answer, in a former portion of this work; the above being only designed to illustrate those technical differences of form and address peculiar to proceedings in a Chapter, as contradistinguished from those in a Lodge.

The rules as to counsel, amendments, etc., are simi-

lar to those in the Lodge. Counsel for either party must be a Royal Arch Mason in good standing.

No appeal lies from the rulings of the High Priest to the Chapter. The only remedy is by appeal to the Grand Chapter.

Neither can a Chapter amend or suspend its by-laws to reach the exigencies of any particular case. The prosecution must be made under the law as it existed at the time of the commission of the offence.

Ex post facto (or retrospective) laws or regulations cannot lawfully be made by any Masonic body.

The accuser must be a Royal Arch Mason in good standing.

Charges against a High Priest, or against a Chapter, must be made to the Grand Chapter.

THE PROOFS.

The rules as to the proofs are the same as in the Lodge, and the commission is appointed and reference made in the same manner. Full forms of notices, summonses, minutes, and report of Commissioners, and all other matters pertaining to this department of the trial, are found in the chapter upon Proofs in the Lodge, requiring only to be changed as to the address, and a few other minor particulars, to adapt them for use in the Chapter.

Upon the closing of the proofs the Commissioners (over whose meetings the High Priest has always the

right to preside) make their report, and the case is argued before the Chapter, if the parties so desire. The accuser and accused, with their counsel, then retire, and the Chapter proceeds, after due deliberation, to pass

JUDGMENT AND SENTENCE.

This can only occur upon the degree of Royal Arch; and if the Chapter were previously open upon a lower degree, for the trial of one of an inferior rank, the Chapter must first be raised to the degree of Royal Arch before the vote can be taken.

Every companion must vote, unless excused by vote of the Chapter.

The question first occurs upon the *guilt or innocence* of the accused; and the same regulations govern all the ballotings as in the Lodge. *Two-thirds* of all the votes cast are required to convict. The ballot should be taken and recorded upon each of the charges and specifications separately, if there be more than one.

If the accused be convicted, the question is then taken upon the penalty; and here again the same rules, the same order, the same penalties, and the same majorities obtain as in the Lodge; always with reference, of course, to any special legislation by the Grand Chapter under whose jurisdiction the trial occurs.

Sentence of expulsion or suspension in the Chapter expels or suspends also in the Council and Command-

ery, but not in the Lodge. It is a universal rule, that a Masonic sentence extends to every degree in the body where it is passed, and to all degrees and bodies above, but to none below; the reasons for which appear at length in the treatise upon trials in the Lodge.

Notification of judgment and sentence is then made to the parties (if absent), to the Grand Chapter, and adjacent Chapters; this being usually regulated by constitutional provision or special edict.

Here the trial closes, unless an appeal be taken.

APPEALS.

Appeals lie from the Chapter to the Grand Chapter, as from the Lodge to the Grand Lodge; but no appeal can be taken from the Grand Chapter of a State to the General Grand Chapter of the United States. Although the General Grand Chapter exercises a general legislative control over the several Grand Chapters under its jurisdiction, yet it takes neither original nor appellate jurisdiction of Masonic offences, aside from the enforcement of its own particular constitution, by-laws, and regulations; the Grand Chapters being, as regards general criminal jurisprudence in capitular Masonry, the tribunals of last resort.

From any ruling or decision of the High Priest or Chapter in any matter relating to the general business, work, or legislation of the Chapter, an appeal may be

taken either to the Grand High Priest or to the Grand Chapter; but if taken to the Grand High Priest, an appeal may again be taken from his decision to the Grand Chapter, where alone a *final* decision can be had. But in a *Masonic trial*, where the question of *guilt or innocence* is involved, the appeal cannot be taken to the Grand High Priest. It must in such case be taken to the Grand Chapter; the powers of the Grand High Priest being analogous in this regard to those of the Grand Master in symbolic Masonry.

No appeal can be made from the action of a subordinate Chapter (if regularly taken), in the admission of members or the election of candidates. The choice and regulation of its own membership is an inherent right of a Chapter, as it is of a Lodge, and with it the Grand Chapter cannot interfere. But for any *irregularity* in such action, as for balloting upon an inferior degree, or conferring degrees upon a ballot found not clear, an appeal may be taken; as this does not involve the question of the power of the Chapter to admit or reject, but only the improper exercise of that power.

The particular methods of taking an appeal in the Chapter are similar to those in the Lodge; full forms and directions for which will be found in the chapter on Appeals.

The Grand Chapter has plenary power in the premises, and upon the trial of the appeal makes such decision as the exigency of the case may demand;

either affirming, reversing, or varying the decision of the subordinate body, as justice shall seem to require. If a new trial be awarded, it is attended with the like effects as to the standing of the accused, and is followed with the like proceedings, as when granted by the Grand Lodge.

RESTORATION.

The question of restoration is so fully treated in a preceding chapter devoted to that subject, that nothing more than a passing remark is necessary here. Where the common and ancient law in regard to Masonic restoration remains unchanged by any local edicts or regulations, it is literally the same in its principles, analogies, and practice in capitular as in symbolic Masonry. But such is the tendency in some localities to meddle with the salutary doctrines of the fathers upon this subject, that prudence requires a reference to the constitution and edicts of the local jurisdiction before taking any important action in this regard.

THE GRAND HIGH PRIEST

Has the power, either in an original or appeal case, to arrest the warrant of a Chapter or suspend a High Priest from his office during the pendency of the case, if, in his judgment, the welfare of the craft or the ends of justice shall so require. In this and most other particulars relative to trials and appeals, his powers

and duties are strictly analogous to those of a Grand Master in like circumstances.

And now let each companion who shall be called upon to conduct a trial in a Royal Arch Chapter, bear constantly in mind, that all the leading and fundamental principles upon which he is to try his case are to be found, not in the Chapter, but in the Lodge. The Chapter is especially barren and scanty in all its legislation relative to judicial proceedings. This is as it should be; for the true source of all correct Masonic criminal jurisprudence is in the Lodge. Upon the Lodge, then, as the parent stem of the Order, the Chapter depends for its law; and hence, we find that the legislation of the Chapter is limited to a few slight changes and a few unimportant provisions as to practice merely; very seldom varying the application of an ancient and well-settled principle.

Thus the treatise upon Trials in the Lodge becomes in effect a treatise upon Masonic trials everywhere. Let no companion think for a moment, then, that the few forms and comments here given constitute all, or even any considerable portion, of the law of trials in the Chapter. In connection with these observations let him carefully study the treatise upon Trials in the Lodge in all its departments; let him then thoroughly understand the special local regulations of the jurisdiction in which he is to try his case, together with the constitution and edicts of the General Grand

Chapter, if he be within its jurisdiction, and he will then be able to conduct his cause with skill and success.

Above all, if any companion would be either successful in the trial of causes, or skilful in the government of the craft, let him not settle down upon the narrow conclusion that Masonic jurisprudence is either inferior as a science or unimportant in its application and effects. Let him remember that our Masonic system is one of broad principles and mighty interests,—that its principles are those of eternal justice, and its interests those of a common humanity. Surely the study of a system of law so eminently just, pure, and humane, and the practice of that system before tribunals so uniformly intelligent, upright, and dignified as are those of the Masonic Order, must tend to polish and adorn the mind of any man. Lofty indeed must be the intellect that cannot be improved by the investigation of a subject which has commanded the attention of the leading jurists, statesmen, and *literati* of the world!



CONSTITUTION

OF THE

GENERAL

Grand Chapter of R. A. Masons,

FOR THE

UNITED STATES OF AMERICA.

1868.

ARTICLE I.

OF THE GENERAL GRAND CHAPTER.

SECTION 1. There shall be a General Grand Chapter of Royal Arch Masons for the United States of America, which shall be holden triennially, at such place as shall from time to time be designated for that purpose, and at which time the General Grand Officers shall be elected by ballot, and installed; except the General Grand Chaplain, who shall be appointed by the General Grand High Priest at the commencement of each convocation of the General Grand Chapter.

The General Grand Chapter, at any regular meeting, may change the time for the next succeeding

meeting ; and if, in the opinion of the General Grand High Priest, or, in case of his death or absence, of the Senior General Grand Officer, there shall be danger to life or health, from sickness or other local cause, by any meeting being held at the time appointed, he may change the time of the particular meeting to some subsequent time ; and in the event of such change being made, he shall immediately notify the General Grand Secretary thereof, who shall forthwith notify the other officers and members, in such manner as he may deem best calculated to effect the desired object.

SEC. 2. The General Grand Chapter has and possesses no other powers than such as are expressly granted and delegated to it by them, or as are indispensably necessary to the exercise of its general powers, and consistent with the nature of the confederation between the State Grand Chapters. It can exercise no doubtful powers, nor any power by implication merely ; and all Masonic powers not hereby granted to it are reserved to the Grand and Subordinate Chapters of the several States, or to R. A. Masons individually.

It shall have and maintain jurisdiction over all Chapters established by itself in those States, Districts, Republics, and Territories which recognize this jurisdiction, and where there is no Grand Chapter established.

It shall have power to decide all questions of Ma-

sonic law, usage, and custom, which may arise between any two or more Grand Chapters, or in any of the Subordinate Chapters under its own immediate jurisdiction, and all that may be referred to it for its decision by any Grand Chapter, by formal vote; and its decisions so made shall be deemed and regarded as those of the supreme judicial tribunal of Royal Arch Masonry in the last resort.

It shall have no power of discipline, admonition, censure, or instruction over the Grand Chapters, nor any legislative powers whatever, not hereby specially granted, nor any authority to suspend the proceedings of any State Grand Chapters, nor shall entertain any complaint against a Grand Chapter, preferred by any Subordinate Chapter or individual Mason in that jurisdiction or elsewhere; but it may, upon proper reference to it of any matter of controversy between any two or more Grand Chapters, and even where the question is not one of Masonic law, custom, or usage (both or all such Grand Chapters consenting to such reference), act as final arbiter between them, and settle such controversy.

It shall judge of the qualifications of its own members. It shall see that the ancient work of the Order is preserved in the several degrees, and establish uniform formulas for installation of its own officers, and those of Grand and Subordinate Chapters, for the consecration and constitution of Chapters, and the

opening of Grand Chapters; and it may suspend the proceedings of any Chapter under its own immediate jurisdiction, in any State, District, or Territory where there is no Grand Chapter, for any wilful violation of any of the provisions of this Constitution, or for gross unmasonic proceedings or conduct.

SEC. 3. The officers of the General Grand Chapter shall consist of a General Grand High Priest, Deputy General Grand High Priest, General Grand King, General Grand Scribe, General Grand Treasurer, General Grand Secretary, General Grand Chaplain, General Grand Captain of the Host, and General Grand Royal Arch Captain. These, together with the first four officers, and all Past Grand High Priests of every State Grand Chapter under this jurisdiction, or the proxies of the first four General Grand Officers, and of the first four Officers of each State Grand Chapter aforesaid, shall compose the General Grand Chapter: *Provided*, That any Chapter under this jurisdiction, in any State, District, or Territory where there is no Grand Chapter duly established, shall have a right to appear by its first three officers, or any one or two of them, which officers shall collectively have one vote.

SEC. 4. On all questions to be decided by the General Grand Chapter, each State Grand Chapter shall be entitled to four votes by its representative or representatives. If there be but two representatives, the inferior officer, or his proxy, shall give but his own

single vote, and the higher, or his proxy, shall give the other three. If there be three representatives, the highest officer, or his proxy, shall give two votes, and the others, or his proxies, one each.

The General Grand Officers, when present, shall each have one vote; and no General Grand Officers shall be allowed to take a seat in the General Grand Chapter as the representative of any State Grand Chapter; nor shall any member of the General Grand Chapter be permitted to vote as proxy, while the person giving the proxy is present; nor shall any person be admitted into the General Grand Chapter as the representative of more than one State Grand Chapter, at one and the same time.

SEC. 5. The General Grand High Priest and Deputy General Grand High Priest shall have authority to call a special meeting of the General Grand Chapter whenever they may consider it expedient or necessary; and it shall be their duty so to do when properly requested by a majority of the State Grand Chapters, of which four months' notice shall be given of the time and place of meeting.

SEC. 6. The General Grand High Priest, Deputy General Grand High Priest, General Grand King, and General Grand Scribe, shall severally have power and authority to grant Dispensations, for a limited length of time, for new Royal Arch Chapters and Lodges of the appendant Orders, in any State, Country,

Republic, or Territory in which there is not a Grand Chapter regularly established, when in their opinion the good of the Craft may require the same, which term of time shall in no case extend beyond the close of the next triennial meeting of the General Grand Chapter; but no new Chapter shall be established in any State, Country, Republic, or Territory where there is a Chapter within a reasonable distance, under the jurisdiction of this General Grand Chapter, without the approbation of the Chapter nearest to the place where said new Chapter is proposed to be located; and in all cases of such Dispensation, the officer who may grant the same shall immediately notify the General Grand Secretary thereof, and make report of the same at the next triennial meeting of this General Grand Chapter, when the General Grand Chapter may grant the said Chapter a Charter.

SEC. 7. The fees for instituting a new Royal Arch Chapter, with Subordinate Degrees, shall be ninety dollars, and no more; and no credit shall be given for Dispensations or Charters, or for conferring the degrees, in any Chapter or Lodge under this jurisdiction. And every Chapter holden by Dispensation or Charter under this jurisdiction, shall pay into the treasury of the General Grand Chapter the sum of two dollars for each companion therein exalted, until such time as a Grand Chapter shall be regularly established in the State, Country, Republic, or Territory in which such

Subordinate Chapter is located. The Secretary shall be paid by the petitioners ten dollars for his services in furnishing the Charter.

The fees in the several States for conferring the several degrees of Mark Master, Past Master, Most Excellent Master, and Royal Arch Mason shall not be less than twenty dollars.

SEC. 8. It shall be the duty of the General Grand High Priest, Deputy General Grand High Priest, General Grand King, and General Grand Scribe, to improve and perfect themselves in the sublime Arts and Work of Mark Masters, Past Masters, Most Excellent Masters, and Royal Arch Masons; to make themselves masters of the several Masonic Lectures and Ancient Charges; to consult with each other, and with the Grand and Deputy Grand High Priests, Kings, and Scribes of the several State Grand Chapters aforesaid, for the purpose of adopting measures suitable and proper for diffusing a knowledge of the said Lectures and Charges. And the better to accomplish this laudable object, the aforesaid officers are hereby severally authorized and empowered to visit and preside in any Chapter of Royal Arch Masons, and Lodge of Most Excellent Master, Mark, and Past Master Masons, throughout the said States, and to give such instructions and directions as the good of the Fraternity may require, always adhering to the ancient landmarks of the Order.

SEC. 9. The only degrees recognized by this General Grand Chapter to be conferred in Chapters under its jurisdiction, are Mark Master, Past Master, Most Excellent Master, and Royal Arch Mason. And no Royal Arch Mason, who shall have regularly received said degrees, shall be excluded from the rights of such by reason of his not being in possession of any other, so called, degrees.

SEC. 10. In all cases of the absence of an officer from any body of Masons, instituted or holden by virtue of this Constitution, the officer next in rank shall occupy his place; unless, through courtesy, or for other reasons, he should decline in favor of a Past High Priest.

SEC. 11. In every Chapter and Lodge under the immediate jurisdiction of this General Grand Chapter, all questions (except the admission of members or candidates, which shall require a unanimous ballot) shall be considered and determined in such way and manner as such Chapters and Lodges may, all circumstances considered, find most conducive to their harmony and permanent prosperity: *Provided*, They do not in any case interfere with, or infringe on, the regulations of the General Grand Chapter.

SEC. 12. The General Grand Secretary of the General Grand Chapter shall have and keep a seal, which shall be affixed to all his communications.

SEC. 13. Should any casualty, at any time here-

after, prevent the triennial election of officers, the several officers shall retain their respective offices until successors are duly elected and qualified.

SEC. 14. An appeal shall in all cases lie to the General Grand Chapter, from the decision of the M. E. General Grand High Priest; but his opinion and decisions shall stand as the judgment of the General Grand Chapter, unless it is otherwise determined by the concurrent vote of two-thirds of all the members present.

ARTICLE II.

OF STATE GRAND CHAPTERS.

SECTION 1. The State Grand Chapters shall severally consist of a Grand High Priest, Deputy Grand High Priest, Grand King, Grand Scribe, Grand Treasurer, Grand Secretary, Grand Chaplain, Grand Captain of the Host; and likewise of the High Priests, Kings, and Scribes for the time being, of the several Chapters over which they shall respectively preside, and of the Past Grand and Deputy Grand High Priests, Kings, and Scribes, of the said Grand Chapters; and the said Grand Chapters shall have full power and authority to elect such other officers, and to establish such rules and regulations as they shall, from time to time, consider necessary and proper: *Provided*, such regulations do not in any way interfere with the provisions of this Constitution.

SEC. 2. The State Grand Chapters shall severally be holden once in every year, and oftener if they may consider it expedient or necessary, at such time and place as they shall respectively direct; and, at their annual meetings, the constitutional officers shall be elected or appointed in such manner as shall be provided for by their rules and regulations, and installed into their respective offices; and the Grand, or Deputy Grand High Priests, respectively, for the time being, may call special meetings, to be holden at such times and places as they may think proper.

SEC. 3. The several State Grand Chapters shall have the sole government and superintendence of the several Royal Arch Chapters, and Lodges of Most Excellent, Past, and Mark Master Masons, within their respective jurisdictions, to assign their limits, and to settle their controversies that may happen between them; and shall have power, under their respective seals and the signs-manual of their respective Grand, or Deputy Grand High Priests, Kings, and Scribes, attested by their respective Grand Secretaries, to constitute new Chapters of Royal Arch Masons, within their respective jurisdictions; but their jurisdiction shall in no case be construed to extend beyond the limits of the State, except by consent of the General Grand Chapter.

SEC. 4. The Grand and Deputy Grand High Priests, severally, shall have the power and authority,

whenever they shall deem it expedient, during the recess of the Grand Chapter of which they are officers, to grant letters of Dispensation under their respective hands and private seals, to a competent number of petitioners, possessing the qualifications required by the 7th section of the Second Article of this Constitution, empowering them to open a Chapter of Royal Arch Masons, for a certain specified term of time: *Provided*, that the said term of time shall not extend beyond the next meeting of the Grand Chapter of the State in which such Dispensation shall be granted; *And provided, further*, that the same fees as are required by this Constitution for Charters, shall be first deposited in the hands of the Grand Secretary. And in all cases of such Dispensation, the officer who may grant the same shall make report thereof at the next stated meeting of the Grand Chapter of his jurisdiction, when the said Grand Chapter may either continue or recall the said Dispensation, or may grant the petitioners a Charter of constitution. And in case such Charter shall be granted, the fees first deposited shall be credited in payment of the same; but if a Charter should not be granted, nor the Dispensation continued, the said fees shall be refunded to the petitioners, excepting only such part thereof as shall have been actually expended by means of their application.

SEC. 5. No Dispensation or Charter shall be

granted for instituting Lodges of Most Excellent, Past, or Mark Masters, independent of a Chapter of Royal Arch Masons.

SEC. 6. The Grand Chapters shall have power, severally, to require from the several Chapters under their respective jurisdictions such reasonable proportion of sums received by them for the exaltation or advancement of candidates, and such certain annual sums from their respective members, as by their ordinances or regulations shall be appointed ; all which said sums or dues shall be made good and paid annually by the said Chapters, respectively, over to the Grand Secretary of the Grand Chapter, under which they hold their authority, on or before the first day of the respective annual meetings of the several Grand Chapters.

SEC. 7. No Dispensation or Charter for the institution of a new Chapter of Royal Arch Masons shall be granted, except upon the petition of nine regular Royal Arch Masons ; which petition shall be accompanied with a certificate from the Chapter nearest to the place where the new Chapter is intended to be opened, vouching for the moral character and Masonic abilities of the petitioners, and recommending that a Dispensation or Charter be granted them.

SEC. 8. The Grand Secretaries of the State Grand Chapters shall, severally, make an annual communication to each other, and also to the Secretary of the

General Grand Chapter, containing a list of Grand Officers and all such other matters as may be deemed necessary for the mutual benefit and information of the said Grand Chapters.

And the said Grand Secretaries shall also regularly transmit to the Secretary of the General Grand Chapter a copy of all their By-Laws and regulations, and also a copy of their proceedings, annually, to each of the officers of the General Grand Chapter; and the State Grand Chapters shall see that their Secretaries faithfully and punctually perform their duty.

SEC. 9. Whenever there shall have been three Chapters regularly instituted and consecrated in any State, Country, Republic, or Territory, by virtue of authority derived from this Constitution, a Grand Chapter shall be established, so soon as convenience and propriety may dictate; *Provided*, that the approbation of one of the first four officers of the General Grand Chapter be first obtained. And said Grand Chapters, by their regular officers, shall assemble in some suitable place, elect their officers, and make such rules and regulations for their government as may be necessary—not inconsistent with the regulations of the General Grand Chapter.

SEC. 10. No person shall be permitted to take a seat in any State Grand Chapter as the representative of more than one Chapter, nor unless he is a member of a subordinate Chapter under that jurisdiction.

ARTICLE III.

OF THE SUBORDINATE CHAPTERS.

SECTION 1. Every Chapter of Royal Arch Masons throughout this jurisdiction, shall have a Dispensation, as is provided in Section 6, of Article I., or Section 4, of Article II., of this Constitution or Charter, from the General Grand Chapter, or from some Grand Chapter under the jurisdiction of the General Grand Chapter, and no Chapter shall be deemed legal without such Dispensation or Charter; and Masonic communication, both public and private, is hereby interdicted and forbidden between any Chapter or any member of it, and any Chapter or assembly that may be so illegally formed, opened, or holden without such Charter, or any or either of their members, or any person exalted or advanced in such illegal Chapter. But nothing in this section shall be construed to affect any Chapter which was established before the adoption of the Grand Royal Arch Constitution, at Hartford, on the 27th day of January, A. D. 1798.

SEC. 2. Whenever a Charter is issued for instituting a Chapter of Royal Arch Masons, with a power in said Charter to open and hold Lodges of Most Excellent, Past, and Mark Master Masons—the High Priest, King, and Scribe, for the time being, of such Chapter, shall be the Master and Wardens in said Lodges, according to seniority.

SEC. 3. It is incumbent on the High Priest of every Chapter, as appertaining to his office, duty, and dignity, to see that the By-Laws of his Chapter, as well as the Constitution of the General Grand Chapter, and the regulations of the Grand Chapter, be duly observed; that all his subordinate officers perform the duties of their respective stations faithfully, and are examples of diligence and industry to their Companions; that true and exact records be kept of all the proceedings of the Chapter, by the Secretary; that the Treasurer keep and render exact and just accounts of all moneys belonging to the Chapter; that regular returns be made by the Secretary annually to the Grand Chapter, of the admission of all candidates or members, and that the annual dues to the Grand Chapter be regularly and punctually paid. The Charter of his Chapter is committed to his special care and charge. He has the right and authority of calling his Chapter at pleasure, upon any emergency or occurrence, which in his judgment may require their meeting, and he is to fill the chair when present. It is likewise his duty, together with his King and Scribe, to attend the regular and special meetings of the Grand Chapter, either in person or by proxy.

SEC. 4. No person, having been a member of a Chapter, shall be admitted a member of any other Chapter under this jurisdiction, until he shall have produced a certificate from a Chapter to which he last

belonged, that he was in regular standing, and as such, at his own request, is dismissed and recommended.

SEC. 5. That any worthy Companion, from without the jurisdiction of the United States, who may present himself as a Royal Arch Mason, and produce satisfactory evidence of his having received that degree, that each and every Chapter under the jurisdiction of this General Grand Chapter have liberty, and they are hereby authorized, to confer the degrees of Mark Master, Past Master, and Most Excellent Master, on such Companions (who have not heretofore received them), to the end that they may be healed, and thereby become regular Royal Arch Masons, free of charge.

SEC. 6. That the Subordinate Chapter so conferring said degree shall be exempt from paying any dues therefor.

SEC. 7. It shall not be deemed regular for any Chapter to confer the degrees of the Chapter upon any person whose fixed place of abode is within any other State in which there is a Chapter regularly established, except by consent of the Chapter nearest the place of residence of said applicant.

MISCELLANEOUS.

SECTION 1. Whenever it shall be inconvenient for the General Grand Officers, or the Grand or Deputy Grand High Priests, respectively, to attend in person to constitute a new Chapter and install the officers,

they shall severally have power and authority to appoint some Worthy High Priest, or Past High Priest, or the High Priest of the same Chapter while it was under Dispensation, when he himself shall have been installed, to perform the necessary ceremonies.

SEC. 2. The officers of every Chapter under this jurisdiction, whether chartered or under dispensation, before they enter upon the exercise of the respective offices, and also the members of all such Chapters, and every candidate, upon his admission into the same, shall take the following obligation, viz.: "I, A. B., do promise and swear, that I will support and maintain the Constitution of the General Grand Chapter of Royal Arch Masons for the United States of America."

SEC. 3. This Constitution shall not be altered or amended, unless such alteration or amendment be proposed in writing at one regular meeting of the General Grand Chapter, published among the minutes of the proceedings, and at the next regular meeting receive the approval of two-thirds of the members then present.

I hereby certify that the foregoing is a true copy of the Constitution of the General Grand Chapter of Royal Arch Masons for the United States of America.

In testimony whereof, I have caused the Seal of the General Grand Chapter to be hereunto affixed.

Dated at the city of Cincinnati, this 1st day of November, 1865, and the year of the Order 2395.

JOHN D. CALDWELL,

General Grand Secretary.





GENERAL USAGES AND REGULATIONS

OF

ROYAL ARCH MASONRY.

1. When the Grand High Priest is absent from the Grand Chapter, the chair shall be taken by the Deputy. If both are absent, the Grand King, or if he be likewise absent, the Grand Scribe must take the chair. If all these officers are absent, the senior Past Grand officer present must preside. If no such Grand officer be present, the duty will devolve on the High Priest of the oldest Chapter present.

2. When the High Priest of a Chapter is absent, his duties must be performed by the King and Scribe in succession. If they should likewise be absent, the Chapter cannot be opened. The warrant of Constitution is granted to the High Priest, King, and Scribe, and their successors *in office*, and to no one else; and no one else can lawfully act. A Past High Priest, being *out of office*, has no powers pertaining to the

office ; and he cannot lawfully assume the chair except by direction of an officer authorized to preside.

3. No officer of a Grand or a subordinate Chapter can be recognized as such until he has been installed.

4. Every officer is entitled to hold his office until his successor has been elected and installed.

5. No officer can resign his office after he has been installed ; nor can any election of officers be held except at the constitutional convocation for that purpose, unless by dispensation.

6. No Chapter can, at an extra convocation, alter or expunge the proceedings of a regular convocation.

7. No Chapter can interfere in the business of another Chapter, or give degrees to candidates who have been accepted by other Chapters, without their consent.

8. No resident of any State in which there is a Chapter, can receive the degrees in any Chapter in another State, unless with the approbation of the Chapter nearest his place of residence.

9. The degree of Mark Master, Past Master, Most Excellent Master, and Royal Arch, are the only degrees which can be conferred in a Chapter.

10. No candidate can be permitted to receive the Chapter degrees who is deformed, maimed, or imperfect in his limbs, or whose physical defects are such as to prevent him from conforming literally to all the requirements of the several degrees.

11. No candidate can be elected to receive the degrees, nor any Royal Arch Mason be admitted a member of any Chapter, except by a unanimous vote in his favor.

12. All ballotings for candidates, and upon trials of companions, must be taken in the Royal Arch degree. But a brother who is not a Royal Arch Mason may be tried in the degree to which he has attained, until the ballot is reached, which must be taken in the Royal Arch degree.

13. None but Royal Arch Masons can be permitted to make any motion, vote, or join in any debate.

14. Every subordinate Chapter, as well as every member of the same, has the right of appeal to the Grand Chapter, whose decision shall be final.

15. There can be no appeal to the General Grand Chapter from the decisions of a Grand Chapter.

16. Every Chapter must meet at least once in three months; and no Chapter can suspend its convocations, unless by dispensation from the Grand Chapter, or from the Grand High Priest.

17. No Chapter can be opened unless there be present nine regular Royal Arch Masons.

18. No Chapter can be opened or held except by the authority of a warrant from the Grand Chapter, or a dispensation from the Grand or Deputy Grand High Priest.

19. Neither more nor less than three candidates can be exalted at the same time.

20. It is not absolutely necessary that a High Priest should receive the degree of High Priesthood to qualify him for the due and legal discharge of his functions. But it is recommended that every High Priest should, as soon as convenient after his election, apply to a convention of High Priests for admission into that Order.

21. No Chapter can work in one State under a warrant or dispensation granted by the Grand Chapter of another State.

22. No *ex post facto* law can be enacted by any Grand Chapter or subordinate Chapter.

23. No warrant or dispensation can be granted for the opening of a new Chapter, except upon the petition of at least nine regular Royal Arch Masons.

24. The election of officers in subordinate Chapters must be held at the regular convocation next preceding the festival of Saint John the Evangelist, and the installation must take place as soon after the election as practicable. When, from any cause, the election is not held at the stated period, a dispensation from the Grand High Priest or Deputy Grand High Priest will be required for holding it at any subsequent time.

25. No Chapter can suspend its by-laws.

26. There can be no appeal from the presiding offi-

cer of a Chapter to the Chapter. The Grand Chapter alone can revise such decision.

27. Every Chapter must consist of the following officers: namely, High Priest, King, Scribe, Captain of the Host, Principal Sojourner, Royal Arch Captain, Masters of the Third, Second, and First Veils, Treasurer, Secretary, and Sentinel.

28. No State Grand Chapter, organized by the authority of the General Grand Chapter of the United States, or which has at any time become a constituent member of the same, can lawfully sever its connection with the said General Grand Chapter without its consent; but the allegiance of said Grand Chapters is inalienable.



TRIAL

IN

THE COMMANDERY.

As we pass from symbolic and capitular Masonry into the orders of Masonic Knighthood, we enter a new atmosphere, and tread upon new ground. We are translated, as it were, from the Jewish Hierarchy to the Christian Dispensation ; to bear as our standard, instead of the banners of the tribes of Israel, the uplifted cross of Immanuel. Instead of the peaceful implements of architecture, we take the sword and helmet. We exchange the temple for the tent, the arch of stone for the arch of steel, and the sacrifices of burning incense for the sublimer sacrifice of the Atonement.

With the particular history of the Orders of Masonic Knighthood—a history of most romantic and mournful interest—it is not our province here to deal, further than to observe that they do not constitute a portion of Ancient Craft Masonry. They are of comparatively modern date ; having taken their rise in the twelfth century of the Christian era, and being a development of the Crusades—that wonderful uprising of

the nations of Europe for the redemption of the Holy Sepulchre from the sway of the Saracens.

But although not strictly a part of what is known as the "body of Masonry," the orders of Knighthood, as at present constituted, are so far based upon and engrafted into the ancient craft as to make them, for all present practical intents and purposes, a part of it ; so that now, by common consent of the entire Masonic world, the rank assigned to these orders is that of the highest division of the York rite. Hence, while these orders are military in their character, and while they are widely dissimilar in their organization, their work, and their symbolism, from Ancient Craft Masonry, they do nevertheless draw from that system the principles of Masonic jurisprudence and the rules of discipline by which they are regulated and governed,—a striking illustration of the power of symbolic Masonry, whose pervading genius seems to mould, direct, and overshadow every social order with which it becomes identified.

Then let not the Masonic student imagine that because he has entered the knightly asylum, therefore "old things have passed away, and all things have become new." The same just and equitable system of criminal jurisprudence which governs the symbolic degrees, governs, in spirit, and often in exact letter, the Orders of Knight of the Red Cross, Knight Templar, and Knight of Malta ; differing, of course, in its appli-

cation, according as the tribunals wherein it is administered differ in their constitutional workings and organization.

Templar Masonry in the United States has, like capitular Masonry, a supreme central organization. "The Grand Encampment of Knights Templar of the United States of America" holds jurisdiction over all Grand Commanderies and subordinate commanderies in the United States; and from this sovereign source emanates much of the law whereby offences are defined and trials regulated in these knightly orders. While the jurisdiction of the General Grand Chapter of the United States is limited by its constitution in the strictest manner to certain specific matters, that of the Grand Encampment of Knights Templar is much more extensive and general in its character, and is more analogous to that of the Grand Lodge in symbolic Masonry. The several Grand Commanderies are in all things subordinate to the Grand Encampment, and are obliged regularly to report all their doings for inspection and review by the supreme body. The enactments and decisions of the Grand Encampment are law to all Knights Templar within its jurisdiction. Its edicts and regulations (as will be seen by reference to that portion of this work in which they are enumerated) are much more numerous and more explicit than those of the General Grand Chapter; and inasmuch as they are universally obligatory, a particular

acquaintance with their provisions is indispensable to a correct and full understanding of the law pertaining to trials in the Commandery; for while the general principles upon which a trial is conducted in the Commandery are the same as those which prevail in the symbolic degrees, yet the Commandery has a system of practice in a certain degree peculiar to itself, and which will require to be much more minutely considered, for this reason, than the subject of trials in the Chapter.

The several subordinate Commanderies have power to pass any edicts and regulations which they may deem proper or necessary for the government of their various jurisdictions; but they have no power to pass any enactment conflicting with the constitution or laws of the Grand Encampment; and any such provision would be void for unconstitutionality.

Supposing, then, the reader is familiar with the constitution and edicts of the Grand Encampment of the United States, and also of the Grand Commandery within whose jurisdiction he resides, let us proceed to the examination of a trial in the Commandery, through all its several stages, from its inception to its close.

The Commandery takes cognizance of the same general Masonic offences as the Lodge and Chapter. It enforces the *common Criminal Code of Masonry*, and holds concurrent jurisdiction with the Lodge and

Chapter over all violations of any of the obligations of the symbolic degrees. As to violations of its own peculiar obligations, and of all by-laws and regulations pertaining to its own particular government and organization, it has exclusive jurisdiction.

A Commandery has no judicial powers unless it be regularly chartered, its officers duly installed, and in all respects a regular working Commandery. Commanderies under dispensation have no judicial powers.

A subordinate Commandery cannot receive nor try charges against its Eminent Commander. The Grand Commandery, or the R. E. Grand Commander, alone have disciplinary power over him.

For a trial in the Commandery, the tribunal must consist solely of Knights Templar. If a Knight of the Red Cross is to be tried, the trial must be had upon the Order of the Red Cross until the ballot is reached, which must in every case be upon the Order of Knight Templar.

The Eminent Commander presides, if present; if he is absent, the Generalissimo; if both of these be absent, the Captain General takes the chair. In the event of the absence of all three principal officers of the Commandery, the Past Commanders, according to rank and seniority of service, are empowered to preside. (Const. of Grand Enc., Art. 3, sec. 4.)

The distinction as to territorial and personal juris-

diction prevails in the Commandery as in the Lodge; and is of the same nature, extent, and general application.

The territorial limit of the jurisdiction of subordinate Commanderies is the geographical centre between contiguous Commanderies: that of Grand Commanderies, the several State boundaries. Where there is more than one Commandery in the same city, the territorial jurisdiction is concurrent, as is also the personal jurisdiction, except as to violations of by-laws and particular regulations, in which cases each Commandery has exclusive jurisdiction.

Neither the Grand Commandery, nor the subordinate Commandery of which he is a member, can try the Grand Commander. He is responsible only to the Grand Encampment of the United States.

All Templars, whether affiliated or not, are subject to discipline by the Commandery within whose jurisdiction they reside, or to which they belong. Knights of the Red Cross may be tried and punished for Masonic offences, in like manner as Knights Templar.

The charges can only be received, or the trial begun, at a regular meeting; but the trial may be afterward continued at special meetings called for that purpose. The charges must be preferred by a Knight Templar in good standing, and a member of the Commandery in which they are presented.

As the preferring of charges (usually termed, in

Templar jurisprudence, the *complaint*) is the first step toward the Knightly trial of a Sir Knight, all the usual and important requisites pertaining thereto must be complied with. The complaint should be brief, yet comprehensive, and should clearly define the nature of the offence charged, and accurately specify the time, place, and circumstances of its commission.

The following is a suitable form :

COMPLAINT.

To the Eminent Commander and Sir Knights of
Commandery, No...., of Knights Templar.

Sir Knight A. B., a Knight Templar (or Knight of the Red Cross) and a member of ... Commandery, is hereby charged with immoral and unknighthly conduct, in this—to wit :

Specification 1.—That the said A. B., on the day of, A. D. 18..., in the public street, at, in the county of, was in a state of intoxication, from the use of strong and spirituous liquors, in violation of his duty as a Sir Knight, and to the scandal and disgrace of the order of Knighthood.

Specification 2.—That the said A. B., on the day of, A. D. 18..., at aforesaid, and at various other times and places, in the year 18..., was intoxicated with strong and spirituous liquors, although admonished therefor by the Eminent Commander and Sir Knights of this Commandery, in violation of his duty as a Sir Knight, and to the great scandal and disgrace of the order : wherefore it is demanded that the

said A. B. be dealt with therefor according to the laws and usages of Masonic Knighthood.

Dated, A. D. 18...

C.... D...., Accuser.

COMPLAINT. (Another Form.)

To the Eminent Commander and Sir Knights of Commandery, No. ..., of Knights Templar.

Sir Knight A. B., a Knight Templar (or Knight of the Red Cross), a member of Commandery, is hereby charged with immoral and unknighly conduct, in this—to wit:

Specification 1.—That the said A. B., on the day of, A. D. 18..., at, in the county of, State of, in the presence and hearing of Sir Knight E. F., and others, spoke and declared of and concerning Sir Knight G. H., these words in substance, viz.: that the said G. H. was a dishonest man; that he was a rogue, a cheat, a knave, and a liar; to the great injury of the said G. H., and to the common scandal and disgrace of our Knightly order.

Specification 2.—That the said A. B., on the day of, 18..., at aforesaid, in the presence and hearing of Mr. Y. Z., and others, publicly spoke and declared of the said G. H., who was not then present, that he the said G. H. was a dishonest man, a knave, a cheat, and a liar, and that he stole money from one S. T.; all of which was in violation of the duties of the said A. B. as a Sir Knight, and to the common disgrace and scandal of our Knightly order.

Wherefore it is hereby demanded that the said A. B.

be put upon trial, and dealt with according to the laws and usages of Masonic Knighthood.

Dated....., A. D. 18...

C.... D...., Accuser.

Forms of complaint might be multiplied indefinitely; but the foregoing are sufficient to show the importance of specifying the time, place, and circumstances which constitute the offence. For convenience, and to show the proper connection and reference between the different papers in the course of the trial, the form first given above will hereafter be followed and referred to.

If the complaint is founded upon a section of the constitution, by-laws, or regulations, the section or sections violated should be distinctly referred to in the complaint.

This complaint having been presented in open Commandery, read, and received at a regular meeting, the Eminent Commander thereupon appoints a Committee of three or more to try the same; which action should be entered upon the minutes, and the members of the Committee, if they are not present, immediately notified. The complaint need not be recorded, but its substance should be noted upon the record.

It is then the duty of the Recorder to immediately serve upon the accused a copy of the complaint, together with a notice of the appointment of the Committee, and of their time and place of meeting, if fixed,

and summoning him to appear and answer before said Committee.

NOTICE OF COMPLAINT, AND SUMMONS TO APPEAR AND ANSWER.

To Sir Knight A. B.:

Take notice, that the within (or foregoing) is a true copy of a complaint preferred against you by Sir Knight C. D., at a stated meeting of Commandery, No..., held on the day of, 18...; that Sir Knights R. S., T. U., and V. W. were thereupon appointed a Committee to hear and try the same; that said Committee will meet for that purpose on the day of, 18..., at ... o'clock P. M., at the asylum of said Commandery; at or before which time you are required to appear and answer said complaint.

Dated, A. D. 18...

P..... Q....., Recorder.

Seal of Com-
mandery.

This notice, and the copy of the complaint, must always be personally served if possible, and due return of service made and filed. If he cannot be found, after diligent inquiry, the service may be at his last known place of residence. If he shall abscond, or wilfully avoid personal service, that fact should be reported to the Commandery for its action; upon proof of which it will be competent to proceed to trial of the complaint without notice. If the time and place of meeting of the Committee shall not be fixed at the time of service of the complaint, the prosecutor

or Recorder should always see that he afterward has due and sufficient notice of the same.

The complaint being served, it is the first duty of the accused, if he has an objection to any of the Committee, to make his challenge to the Eminent Commander, who, if he deems the objection well taken, may remove the member or members challenged, and supply the vacancy by a new appointment. It is the better course, however, if there be reasonable objection, or if probable cause therefor be manifest, for the member or members of the Committee who are challenged to remove all question by resignation.

The Committee being properly constituted, it is the next duty of the accused to answer the complaint. Precisely the same rules govern the answer here as in a trial in the Lodge.

ANSWER.

To the Eminent Commander and Sir Knights ofCommandery, No..., of Knights Templar.

In the matter of the complaint presented in said Commandery by Sir Knight C. D. against the undersigned, comes the said A. B. in person (or by Y. Z., his counsel), and denies the said complaint, and every matter and thing contained in the several specifications of the same, and demands a trial thereupon.

Dated, 18...

A..... B....., Accused.

This answer will of course be varied according to the particular facts of each case. Either the jurisdic-

tion, or the sufficiency or regularity of the complaint may be denied; the answer may be, guilty as to a part and not guilty as to another part, or it may admit the facts charged and set up other facts or matters in justification, extenuation, or excuse. Full and sufficient forms and directions in this behalf will be found in the fifth chapter of the Treatise upon Trial in the Lodge, entitled, *Of the Answer*.

Either party is entitled to counsel, who must be a Knight Templar in good standing.

Assuming the answer to be a denial, the issue is formed, and the trial proceeds.

The attendance of Sir Knights as witnesses is procured by summons, if they will not attend voluntarily. If the witness be not a Knight, his attendance must be voluntary, if he attends at all; but a Sir Knight is bound to obey a summons. A wilful and unnecessary refusal is a breach of his obligation, and subjects him to discipline.

The summons may be issued by any Eminent Commander of a Commandery, and in the following form:

SUMMONS.

To Sir Knight I. J.:

You are hereby summoned and required to attend as a witness before the Committee appointed for the trial of Sir Knight A. B., upon complaint preferred against him by Sir Knight C. D., at the asylum of. . . . Commandery,

No..., on the day of, 18..., at o'clock P. M., then and there to testify what you may know relating to the subject-matter.

Dated....., 18...

K..... L....., E. Commander.

This may be made to answer for several witnesses, by inserting their names, and adding the words "and each of you," after the word "you." The person serving the summons should note the time, place, and manner of service (which should be personal, if practicable), in order that the necessary facts may be at command for proceedings against any refractory witness.

The Committee, having met for trial, should organize by electing one of their number (usually the one first named) to preside, and another to act as clerk, to keep full minutes of their proceedings. The Eminent Commander has the right, *ex officio*, to be present and to preside at the meeting of any Committee. A copy of the resolution under which they were appointed, together with their appointment, and the proofs of service of the complaint, or of failure of the same, with the reasons therefor, should be furnished the Committee by the Recorder.

The Committee should keep full minutes of their proceedings, which may be in a form similar to the following :

MINUTES OF COMMITTEE.

The Committee appointed for the trial of Sir Knight A. B., upon complaint made against him by Sir Knight C. D., a copy of which is hereto annexed (marked A), assembled at the asylum of.... Commandery, No..., of Knights Templar, on the day of, 18..., at o'clock P. M., pursuant to the following resolution (copy resolution):

Present: R. S., T. U., and V. W., Committee. R. S. officiated as chairman, and V. W. was chosen clerk. The accuser and accused appeared in person.

The complaint was then read by Sir Knight V. W., clerk, together with the answer of Sir Knight A. B.

Sir Knight A. B. requested that P. S., Esq., an attorney, but not a Sir Knight, should examine the witnesses in his behalf, and assist him in his defence. The Committee decided against the request, but further decided that he might employ the services of any Sir Knight to assist him in his defence; to which decision Sir Knight A. B. took an exception. He then employed Sir Knight N. O., who appeared and acted as his counsel.

Sir Knight O. objected to the form of the complaint, as being vague and uncertain, but the Committee decided it to be sufficient; to which Sir Knight O. took an exception.

Sir Knight E. F. was then introduced as a witness upon the part of the accuser, and testified as a Sir Knight as follows: I am acquainted with Sir Knight A. B. I saw him on street, in, on the day oflast. I was on the opposite side of the

street; he appeared to be much intoxicated. (Objection was made to testimony as to *appearance* of accused. Objection was overruled, and exception taken.) He was there for about half an hour; he reeled as he walked, etc.

On cross-examination, Sir Knight E. F. further testified: I know that Sir Knight A. B. had been sick, etc.

The Committee then adjourned, to meet at the same place, on the day of, 18..., at o'clock P. M.

(Date.)

The Committee meet pursuant to adjournment. Present: all of the Committee, the accuser and accused, and Sir Knight O. as counsel for the accused.

Sir Knight T. U. acted as chairman.

Mr. H. C. was then introduced as a witness on the part of the accuser, and being sworn by Sir Knight V. W., testified as follows:

I was in on the day of last. I saw, etc.

Here the accuser announced that he had no further proofs, and rested his case.

Sir Knight O., on behalf of the accused, then produced the affidavit of Mr. J. B., sworn before, which he offered in evidence; to which objection was made, for the reason that as the personal attendance of Mr. J. B. could be readily procured, he should be introduced, in order that he might be examined by both parties.

The Committee sustained the objection on that ground, and Sir Knight O. took an exception.

Mr. J. B. was then introduced, and the accuser then

consented that his affidavit might be read. It was read accordingly, and is hereto annexed (marked B).

The accuser then cross-examined Mr. J. B., who stated as follows: etc.

The accused, by his counsel, then announced that he had no further proofs.

The proofs being closed, after listening to the arguments of both parties, the Committee decided to meet on the day of instant, to determine upon their report.

(Date.)

The Committee again met, by themselves, and after consultation, decided upon their report, which is hereto annexed, together with the complaint, answer, testimony, and proceedings had before them, and the parties notified that said report would be presented at the next regular meeting of Commandery, No..., to be held on the evening of, A. D. 18...

R.....	S.....,	} Committee.
T.....	U.....,	
V.....	W.....,	

These minutes have been given in this extended form, because they present a convenient way of stating certain facts and explaining certain proceedings on the trial. Thus the statement of formal objections, and the grounds of them, together with the decisions of the Committee (which should always be stated in full), are here set forth; also, that the accuser acted as prosecutor; that the employment of an attorney who was not a Sir Knight was not permitted, but that the

accused was permitted to have counsel ; that the first witness testified in his character as a Sir Knight, and that the second witness, not being a Knight, made his statement under oath ; that the testimony is taken down in the words of the witness, and, of course, in the first person, as he spoke ; that the precise point objected to is stated in each instance ; that the time and place of each adjournment are noted ; that a sworn affidavit was not admitted when the personal attendance of the witness could be conveniently procured ; and that the Committee met alone finally, and agreed upon their report, and then gave notice to the parties ; all of which will furnish useful hints to those engaged in such trials, without further comment ; it being presumed that the usual forms of such proceedings, and the ordinary rules of evidence in Masonic trials, are understood, and will be observed.

It is at the option of the Committee whether they will admit any one to be present but the parties and their counsel, and the witnesses testifying ; but none other than Sir Knights should be admitted on any such occasion, except witnesses not Knights, and they only while testifying.

As a form of the notice to be given by the Committee may be desired, it is here given. It may be as follows :

NOTICE OF DECISION.

To Sir Knights A. B. and C. D. :

You will each take notice that we have agreed upon

our report in the matter of the complaint of Sir Knight C. D. against Sir Knight A. B., which was referred to us for trial, and that we shall present our report at the next stated meeting of Commandery, No. ..., to be held at the asylum of said Commandery, on the day of, 18...., at o'clock P. M.

Dated, 18....

R.....	S.....,	} Committee.
T.....	U,	
V.....	W.....,	

The Committee having agreed upon their report, should have it drawn up in form, for submission to the Commandery. This report need not, in the first place, contain anything but the facts found, and the conclusions arrived at by the Committee. These conclusions, like those of any other Committee, should be in the form of resolutions, for the definite action of the Commandery. Should the Commandery, upon the coming in of the report, desire to hear the testimony read, or any of the rulings stated, it will be the duty of the Committee to comply, and make full report of testimony, and of all their proceedings, if required.

The report may be in the following form :

REPORT OF COMMITTEE.

To the Eminent Commander and Sir Knights of Commandery, No. ..., of Knights Templar:

The Committee appointed for the trial of Sir Knight A. B., upon complaint preferred against him by Sir Knight C. D., in said Commandery, respectfully report

That they met at the asylum of said Commandery, on the day of, 18..., at o'clock P. M., due notice having been given to the accuser and accused of the time and place of meeting, and proceeded to hear and try the matters referred to them.

The accused answered, *not guilty*.

Objections were made to Sir Knight T. U., one of the Committee, which the committee overruled. The Committee also refused to allow Sir Knight A. B. to employ an attorney who was not a Knight to act as his counsel, and thereupon Sir Knight N. O. appeared as his counsel.

Objections were made to the complaint for alleged informalities, which objections were overruled.

The Committee then proceeded to take testimony (in the course of which they decided not to admit the affidavit of a witness while his personal attendance could be conveniently procured), and Sir Knight E. F., Mr. H. C., and Mr. J. B. were examined as witnesses.

The Committee held three meetings, the last of which was for the purpose of agreeing upon and preparing their report.

From the testimony before them, the Committee find the following facts:

1. That Sir Knight A. B. was intoxicated with strong and spirituous liquors, in a public place, at, on the day of, 18...

2. That Sir Knight A. B. has been at least twice intoxicated in a public place at, on the day of, 18..., and on the day of ..., 18...

They therefore recommend the adoption of the following resolutions:

Resolved, That the charges of intoxication against Sir Knight A. B., made and presented to this Commandery by Sir Knight C. D., on the day of, 18..., are sustained, and he is hereby adjudged guilty of the same.

Resolved, That Sir Knight A. B. be, and he is hereby suspended from this Commandery, and from all the rights and privileges of Masonic Knighthood, for the space of three months from and after this date.

The charges and expenses of the Committee amount to the sum of..... dollars, which they adjudge that Sir Knight A. B. (or the Commandery) shall pay.

The parties have been duly notified of the presentation of this report.

All of which is respectfully submitted. .

Dated, 18...

R.....	S	} Committee.
T.....	U	
V.....	W.....	

It will be noticed that this report differs from the report of Commissioners upon a trial in the Lodge in one very important particular. While it is not competent for Commissioners upon a trial in the Lodge to report their opinion upon the question of the guilt or innocence of the accused, nor to recommend what particular action the Lodge ought to take in the premises, the Committee upon a trial in the Commandery does both. The Commissioners in the Lodge simply take proofs and report the facts; the Committee in the Commandery take the proofs and report both the facts

and their opinion. The reason of this practice doubtless is, that the sentence of a Lodge is of so much greater extent and seriousness in its effects than a sentence in the Commandery; and by general custom is upon that account reserved for the sole determination of the whole body of the Lodge, unbiased by the opinion of any Committee. There are jurisdictions, however, where the practice in the Lodge corresponds to that here given for the Commandery.

Should the accused admit the complaint, when served upon him, proof of such admission, or the production of his written answer, if he should answer in writing, is all that will be required of the Committee, and they will make up their minutes and report accordingly, adapting the foregoing forms to the circumstances.

If the resolutions reported by the Committee be adopted, the Recorder of the Commandery should transcribe them upon his minutes, together with the adjudication as to charges and expenses. The resolutions, however, are subject entirely to the action of the Commandery, who may reverse the decision of the Committee; or, if sustained, may amend the resolution as to the penalty, by either increasing or diminishing it.

The three Masonic penalties—expulsion, suspension, and reprimand—are the only punishments recognized in Templar jurisprudence.

All questions in Commandery proceedings (except election to the Orders or to membership) are decided by a majority vote (Const. of Grand Encampment, U. S., Art. 3, Sec. 3). The presiding officer for the time being has one vote, and in case of a tie he also gives the casting vote. But for election to the orders of Knighthood, or to membership, a unanimous vote is required.

The sentence of a Commandery does not affect the standing of the accused in the Lodge or Chapter; but sentence of expulsion or suspension in the Lodge or Chapter expels or suspends also from the Commandery; for no Templar can hold any Masonic intercourse with a suspended or expelled Master Mason.

Expulsion from the Orders deprives a Knight Templar of all his rights as a Templar. While under sentence of expulsion he is driven from the Order. He has no Templar standing whatever; and although he may be restored to his standing as a Knight Templar by a majority vote, he cannot be restored to *membership* in the Commandery of which he was a member when expelled, except by being regularly elected by a unanimous ballot.

Sentence of suspension is the same in its effects upon the Knightly standing of a Sir Knight, as the like sentence by the Lodge upon the standing of a Master Mason. A majority vote restores from suspension.

If the accused be present, he has the right to make any statement or explanation he may desire.

Should the resolutions be adopted (and for this purpose a majority vote is sufficient), and the accused be absent from the Commandery, it is the duty of the Recorder to furnish him immediately with a copy of the resolutions, with notice of the action of the Commandery. The following form of notice may be appended to the copy

NOTICE OF JUDGMENT.

To Sir Knight A. B. :

Take notice, that the foregoing is a copy of resolutions adopted by Commandery, No. ..., of Knights Templar, at a stated meeting of the said Commandery, held on the day of, 18...; and it was then and there awarded that the expenses of your trial upon the charges of which you were convicted, being the sum of dollars, should be paid by you (or by said Commandery).

Dated, 18...

P..... Q....., Recorder.

The Recorder should also notify the Recorder of the Grand Commandery of all cases of expulsion in his Commandery.

In all cases the decision of the Commandery is final, unless an appeal be taken to the Grand Commandery.

The Appeal, being next in order, will now claim attention.

An appeal lies from the decision of the subordinate Commandery, or the Eminent Commander, to the Grand Commandery. An appeal may be taken to the Grand Commander, during the recess of the Grand Commandery, upon all questions relating to matters of general jurisprudence, work, or business, but not in *trials* upon the question of *guilt or innocence*. Incidental questions, touching the *regularity* merely of any trial may be referred to him, but not the main issue of conviction and sentence; for upon that the accused is entitled to the judgment of the entire body having jurisdiction of the case, in like manner as in the Lodge or Chapter.

No appeal can be taken from the decision of the Eminent Commander to the Commandery in any case. Right or wrong, it is final for the time being, and can only be reversed by the Grand Commandery, or, in the recess thereof, by the Grand Commander.

No appeal can be taken from the action of a subordinate Commandery in the election or rejection of a candidate; for the subordinate body has exclusive control of its own membership in Templar Masonry, the same as in the symbolic and capitular degrees.

The party intending to appeal must give proper notice of the same within the time prescribed by the regulations of his jurisdiction. Any member of the Commandery, as well as the parties to the case, have the right to appeal.

NOTICE OF APPEAL.

To P. Q., Recorder of Commandery, No .., of Knights Templar:

Take notice, that I intend to appeal from the action of said Commandery, on the day of, 18..., in passing sentence of suspension on me for three months, to the Grand Commandery of the State of, for reasons to be hereafter stated in my appeal.

Dated, 18...

A..... B.....

Upon receiving this notice, it is the duty of the Recorder to make a full return to the Grand Commandery of all matters pertaining to the case, embracing a copy of the minutes of proceedings, evidence, report of Committee, etc., annexed—all duly attested and certified. This return, when filed with the Grand Recorder, is subject to examination at all times by the Grand Commandery or its Committee on Appeals.

The appellant should distinctly set forth in his appeal the grounds upon which he asks a reversal of the decision.

APPEAL.

To the Grand Commandery of Knights Templar of the State of

The undersigned hereby appeals to you from the decision of Commandery, No..., made, 18..., in adjudging him guilty of the complaint preferred against him in said Commandery by C. D., and in passing sentence of suspension against him for three months; and

he specifies the following as the grounds of his appeal:

1. That T. U., one of the Committee to whom said complaint was referred, was incompetent to act; he having been present at the meeting of said Commandery when the complaint was preferred, and voted for its reception and reference (or any other reasons may be assigned).

2. That the Committee and Commandery erred in deciding that P. S. should not be allowed to assist the undersigned as counsel for his defence.

3. That the second specification of the complaint is vague, uncertain, and insufficient.

4. That testimony as to *appearances* of intoxication was improperly received.

5. That the Committee erred in rejecting the sworn affidavit of J. B.

6. That the proofs in the case were not sufficient to warrant the finding of the Committee, or the judgment and sentence of the Commandery.

7. That the Commandery erred in passing judgment of conviction and sentence of suspension by a majority vote.

All of which will more fully appear by the papers, proceedings, and evidence in the case; to which reference is hereby made.

Dated . . . , 18 . . .

A B, Appellant.

A copy of this appeal should be served upon the Recorder of the Commandery, and also a copy upon the Grand Recorder. Within a reasonable time .

(usually ten days) the subordinate Commandery should make answer to the appeal. As the answer to the appeal is merely the joining of issue before the Grand Commandery, it may be general in its terms, no particular specification of its grounds being given.

ANSWER TO APPEAL.

To the Grand Commandery of Knights Templar, of the State of

. Commandery, No. . . . , hereby makes answer to the appeal of A. B., and says:

That said Commandery denies that there is any error in the proceedings of said Commandery, or of the Committee appointed for the trial of the said A. B.; and further says, that the decisions and proceedings of said Commandery upon the trial of the said A. B. are fully sustained by the law and the evidence.

Dated , 18. . . .

S. S., Recorder.

If it be deemed necessary to make a specific denial in answering the appeal, and to take issue upon each of the grounds alleged in the appeal, assigning particular reasons therefor, the foregoing form may be used as to the commencement, and then specification be made of the grounds as follows:

Because the said Commandery says, as to the first ground of appeal, etc.

And because the said Commandery says, as to the second ground of appeal, etc.

Closing in the same manner as before.

The case being thus fairly brought up on appeal, the Grand Commandery usually proceeds to appoint a Committee to consider the same and report their opinion ; final action being taken by the Grand Commandery upon the coming in of such report. Or the case may be considered before the whole body ; and where the appeal and answer thereto are sufficiently full to exhibit all the points in the case, this is the usual course ; oral argument being offered, if desired, upon any question involved.

If the Recorder of the subordinate Commandery shall have omitted to make his returns, or if the same be insufficient for the complete understanding of the case, the Grand Commander enforces a performance or completion of the duty of that officer by an order.

ORDER COMMANDING RETURN TO BE MADE.

Office of the Grand Commander of Knights Templar, of the State of

....., 18...

To the Eminent Commander and Sir Knights of Commandery, No..., of Knights Templar :

Sir Knight A. B. having duly appealed from the decision of your Commandery, made on the day of, 18..., suspending him for three months, you are hereby required to transmit to the E. Grand Recorder, by the hand of your Recorder, under seal of your Commandery, a true and complete transcript of all the proceedings of your Commandery in the case of the

said Sir Knight A. B., from the presentation of the complaint against him to, and including, the final action of your Commandery thereon, with the several dates thereof, together with all proofs, papers, and documents relating thereto, not heretofore returned, within days from the receipt of this order by you.

Given under my hand and private seal, the day and year first above written.

.....

Grand Commander.

The Grand Commander presides at all trials, as at every other proceeding, in the Grand Commandery. No appeal can be taken from his rulings or decisions while in the chair, to the Grand Commandery.

It is believed that the foregoing forms and directions, with the application of those general principles of jurisprudence which apply to judicial proceedings in every Masonic body, will be sufficient to enable any Commandery to properly conduct every case of Knightly discipline and trial that may come before it. Any attempt to so far multiply forms and specific directions as to make them applicable to *every* particular emergency would be utterly vain. This, like every other treatise upon practice, must be confined mainly to general principles; leaving the intelligence of the practitioner to apply those principles to the circumstances of each particular case.

If the accused should fail to appear and answer the complaint, after *personal service*, the Committee may proceed, after proof of such service, to take proofs and in such case the Eminent Commander should appoint some Sir Knight to appear as counsel for the accused, and see that his rights are duly protected. The minutes and report should in such case be full, and the forms given can readily be modified to suit the facts.

APPEAL TO THE GRAND ENCAMPMENT.

An appeal lies from the Grand Commandery to the Grand Encampment, which the following form will sufficiently explain.

APPEAL FROM GRAND COMMANDERY TO THE GRAND ENCAMPMENT.

To the Grand Encampment of Knights Templar of the United States:

The undersigned, your petitioner, respectfully represents, that on or about the day of, 18...., complaint for immoral and unknighly conduct (state the general purport of the complaint) was made against him by Sir Knight C. D., in Commandery, No., under the jurisdiction of the Grand Commandery of Knights Templar of the State of; and such proceedings were thereupon had in the said Commandery, that your petitioner was adjudged by the said Commandery guilty of the offence so charged against him, and sentence of was thereupon passed against him. That from the judgment and sentence of said

Commandery your petitioner appealed to the said Grand Commandery, and thereupon such proceedings were had in and by said Grand Commandery, that afterward, on or about theday of, 18..., the determination, sentence, and judgment of the said Commandery were *in all things affirmed* (state any other decision of the Grand Commandery) by the said Grand Commandery; and now your petitioner, feeling himself aggrieved by the action of the said Grand Commandery in the premises, and believing and being advised that the same are erroneous, appeals therefrom to the Grand Encampment of the United States, and specifies, among other grounds of error therein, the following:

First. That, etc. (stating the several errors in, and objections to, the proceedings and determination of the Grand Commandery relied upon, separately, explaining and numbering them distinctly).

Your petitioner therefore prays that the said Grand Commandery may be required to answer this petition; and that the testimony, proceedings, determination, and judgment aforesaid, as well of the said Commandery as of the said Grand Commandery, may, upon this appeal, be reviewed, and that such sentence and determination, or judgment, may be reversed, modified, or amended, as shall be agreeable to Knightly usage, equity, and justice.

Dated, 18...

A..... B....., Appellant.

This petition of appeal should be delivered to the Grand Recorder of the Grand Commandery, and a duplicate thereof to the Grand Recorder of the Grand

Encampment, which, when done, perfects the appeal. As soon thereafter as practicable, and before the next session of the Grand Encampment, the Grand Recorder of the Grand Commandery should transmit to the Grand Recorder of the Grand Encampment a transcript of all the testimony, papers, and proceedings in the case which were before the Grand Commandery, together with its action and final determination therein, all duly authenticated under the seal of the Grand Commandery.

All questions are determined, in the Grand Encampment, by a majority vote, the presiding officer being entitled to one vote. In case of a tie, he has also the casting vote. The Grand Encampment, being a legislative body, and acknowledging no superior, permits an appeal to be taken by any member from the decision of the Chair on any question under consideration therein: *Provided, however*, that such appeal shall not be maintained, unless two-thirds of all the members present shall vote therefor. This rule, however, is adopted for the Grand Encampment alone, and is not to be construed as establishing a precedent for the guidance of any other Masonic body. The right of succession to the Chair is the same in the Grand Encampment as in Grand and Subordinate Commanderies.

Before leaving the subject of trials in the Commandery, the author desires again to call the attention

of the reader to some important points of difference between the central organizations of Capitular and Templar Masonry in the United States.

While the General Grand Chapter of the United States has, as we have already seen, but a very limited jurisdiction, the powers of the Grand Encampment are plenary and absolute over all Knights Templar within the United States. Several Grand Chapters have never acknowledged the authority of the General Grand Chapter, and others have sought to withdraw their allegiance: the authority of the Grand Encampment is undisputed within the boundaries of the Republic. No appeal lies from a Grand or Subordinate Chapter to the General Grand Chapter, nor can the last review the judicial action of either of the others. As in Symbolic Masonry the Grand Lodge is the tribunal of last resort, so is the Grand Chapter in Capitular Masonry. But not so in Templar Masonry. Here the aggrieved suitor may appeal to the Grand Commandery, and from thence to the Grand Encampment, whose decision is alone final and conclusive. Thus while the judicial systems of Symbolic and Capitular Masonry are distracted by the conflicting laws and decisions of a multitude of Grand Bodies, each having but a limited authority, that of Templar Masonry is at once harmonious and uniform. The Grand Encampment is the supreme executive, legislative, and judicial authority. It is the seat of power, the arbi-

ter of law, the fountain of justice. It is the head of the Orders of Masonic Knighthood, not in name or form only ; it is so *de facto* and *de jure*.

The logical and legal results of this state of facts are of the utmost importance to the practitioner of Masonic law.

If, in conducting a trial in the Lodge or Chapter, he finds the common law of Masonry is changed by the enactments of the Grand Lodge or Grand Chapter within whose jurisdiction his case is brought, he must follow the local regulation instead of the common law ; as an attorney, if he found the ancient doctrines of the common law varied by the statutes of his State, would follow the statute: *Provided*, however, that such Grand Chapter has not by positive enactment acknowledged the jurisdiction of the General Grand Chapter, and placed itself in subordination thereto, and was not organized and established under the authority and jurisdiction of the General Grand Chapter: and *Provided*, further, that the Chapter in which the case is brought shall not have been established by the General Grand Chapter, as contemplated in Section 1 of Article 2 of the charter of the same ; for in all such cases the authority of the General Grand Chapter is paramount. Yet the powers of the General Grand Chapter are strictly federative. It can exercise no doubtful or implied powers ; but all such as are not expressly granted to it are reserved to the Grand and

Subordinate Chapters, or to Royal Arch Masons individually.

But if the trial be in the Commandery, and a conflict be found between the regulations of the Grand or Subordinate Commandery and those of the Grand Encampment, the authority of the Grand Encampment must prevail, for reasons before given ; and any provision in the constitution, by-laws, or regulations of a Grand or Subordinate Commandery in conflict with the constitution or edicts of the Grand Encampment, would be void. The necessity, therefore, of an intimate acquaintance with the laws and edicts of the Grand Encampment is at once apparent, as also with the constitutions of both the General Grand Chapter and the Grand Encampment ; the powers and jurisdiction of each of these bodies being thereby clearly defined.

The sources of law, then, for the government of a trial in the Commandery, are as follows : 1, the general and fundamental law of Freemasonry ; 2, the constitution and laws of the Grand Encampment ; 3, the regulations of the Grand and Subordinate Commanderies within whose jurisdiction the case is brought.

If this work shall tend to aid the investigations of the Brethren, Companions, and Sir Knights of the United States in this behalf, the object of the writer will be accomplished.

CONSTITUTION
OF THE
GRAND ENCAMPMENT OF KNIGHTS TEMPLAR
FOR THE
UNITED STATES OF AMERICA.
1869.

ARTICLE I.

OF THE GRAND ENCAMPMENT.

SECTION I.—HOW CONSTITUTED.

The Grand Encampment of Knights Templar of the United States is constituted as follows :

1. The Grand Master.
2. The Deputy Grand Master.
3. The Grand Generalissimo.
4. The Grand Captain-General.
5. The Grand Prelate.
6. The Grand Senior Warden.
7. The Grand Junior Warden.
8. The Grand Treasurer.
9. The Grand Recorder.
10. The Grand Standard-Bearer.

11. The Grand Sword-Bearer.
12. The Grand Warder.
13. The Grand Captain of the Guards.

Likewise,

14. All Past Grand Masters.
15. All Past Deputy Grand Masters.
16. All Past Grand Generalissimos; and,
17. All Past Grand Captains-General of the Grand Encampment of the United States.

Likewise,

18. All Grand Commanders.
19. All Past Grand Commanders.
20. All Deputy Grand Commanders.
21. All Grand Generalissimos; and,
22. All Grand Captains-General of each State Grand Commandery that acknowledges the jurisdiction of the United States Grand Encampment.

Each of the individuals above enumerated shall be entitled, when present, to one vote in all the proceedings of the Grand Encampment of the United States.

Likewise,

23. The first three officers of each Commandery that holds its charter immediately from the Grand Encampment of the United States.

These, or as many of them as may be present at any meeting of the Grand Encampment of the

United States, shall be entitled, collectively, to one vote. All officers of the late G. G. Encampment shall rank and have all the privileges of members of equal rank, provided for herein.

No person shall be eligible to any office in the Grand Encampment of the United States, unless he shall be at the time a member of some Subordinate Commandery, under the general or immediate jurisdiction of the Grand Encampment of the United States.

SECTION II.—PROXIES.

The first four officers named in Section 1, of this Article; likewise the first four officers of all State Grand Commanderies; likewise the first three officers of all subordinate chartered Commanderies, held under the immediate jurisdiction of the Grand Encampment of the United States, may appear and vote *by proxy*; said proxies being at the time of service members of subordinate Commanderies, and producing properly authenticated certificates of their appointment.

SECTION III.—TITLES.

The title and designation of the Grand Master of the Grand Encampment of the United States is *Most Eminent Grand Master of Knights Templar*; that of the Deputy Grand Master, *Right Eminent*; of the remaining officers of the Grand Encampment, *Very Eminent*.

SECTION IV.—MEETINGS.

The stated meetings of the Grand Encampment of the United States shall occur triennially, on the *first Tuesday of September*, at such places as may have been previously designated by the Standing Committee (see Art. IV., Sec. 4, Rule 4), and approved by the Grand Encampment of the United States.

Special meetings may be called by the Most Eminent Grand Master at his discretion. And it shall be his duty, upon the requisition of the majority of the State Grand Commanderies, to him directed in writing, to call special meetings of the Grand Encampment of the United States.

The Grand Officers shall hold their respective offices until their successors shall be duly elected and installed.

At the stated meetings of the Grand Encampment of the United States, there shall be reviewed and considered all the official reports of its officers, and of the State Grand and Subordinate Commanderies for the preceding three years; they shall proceed to elect by ballot the several Officers of the Grand Encampment of the United States, save and except the Prelate and Captain of the Guards, who shall be appointed by the Grand Master at the opening of the triennial sessions (see Art. I., Sec. 5); to adopt such rules and edicts as may be necessary for the good of the Order; to ex-

amine the accounts of the Grand Treasurer and Grand Recorder; to supervise the state and condition of the finances, and adopt such measures in relation thereto as may be necessary to increase, secure, and preserve the same, and also to insure the utmost punctuality on the part of every accounting officer in the safe keeping and paying over of the funds and property of the Grand Encampment; to grant or withhold Warrants, Dispensations, and Charters for all new State or Subordinate Commanderies (see Art. II., Sec. 1, and Art. III., Sec. 1); for good cause to revoke pre-existing Warrants, Charters, or Dispensations; to assign the limits of the State Grand Commanderies, and settle all controversies that may arise between them; and finally consider and do all matters and things appertaining to the good, well-being, and perpetuation of the principles of Templar Masonry.

No business shall be transacted at the called meetings, save that which was specified in the original summons.

At every meeting, all questions shall be determined by a majority of votes, the presiding officer being entitled to one vote. In case the votes are equally divided, he has the casting vote. This Grand Encampment, being a legislative body, acknowledging no superior, admits an appeal to be taken by any member, from the decision of the Chair on any question under consideration therein; *Provided, however,* that such

appeal shall not be maintained, unless two-thirds of all the members present shall vote therefor. This rule is adopted for this Grand Encampment alone, and is not to be construed as establishing a precedent for the guidance of any other Masonic Body.

SECTION V.—DUTIES OF THE OFFICERS.

1. THE GRAND MASTER.

It is the prerogative and duty of the Grand Master, generally to exercise, as occasion may require, all the rights appertaining to his high office, in accordance with the usages of Templar Masonry. And as a part thereof, he shall have a watchful supervision over all the Commanderies, State and Subordinate, in the United States, and see that all the constitutional enactments, rules, and edicts of the Grand Encampment are duly and promptly observed, and that the dress, work, and discipline of Templar Masonry are everywhere uniform.

Among his special duties and prerogatives are the following:

To appoint the Prelate and Captain of the Guard, at the Triennial Meetings of the Grand Encampment. (See Art. I., Sec. 4.)

To call Special Meetings of the Grand Encampment of the United States. (Art. I., Sec. 4.)

To visit and preside at any Commandery, Grand or Subordinate, in the United States, and give such in-

structions and directions as the good of the Institution may require, always adhering to the Ancient Landmarks.

To cause to be executed, and securely to preserve and keep, the official bonds and securities of the Grand Treasurer and Grand Recorder. (See Art. IV., Sec. 3.)

To grant Letters of Dispensation during the recess of the Grand Encampment, for the institution of new Commanderies (see Art. III., Sec. 1); such Dispensations to be in force no longer than the next Triennial Meeting of that body, and promptly to notify the Grand Recorder of the issuing of said Letters of Dispensation.

To approve and grant Warrants, during the recess of the Grand Encampment, for the institution of State Grand Commanderies in States, Districts, or Territories, where the same have not been heretofore established. (See Art. II., Sec. 1.)

To manage and control the Contingent Fund. (See Art. IV., Sec 1.)

2. THE DEPUTY GRAND MASTER.

The Deputy Grand Master, in the event of the death, removal, or physical incompetency of his superior, shall act as the Grand Master.

At all other times he shall perform such duties as may be assigned him by the Grand Encampment or the Grand Master.

3. THE GRAND GENERALISSIMO AND GRAND CAPTAIN-GENERAL

In the absence of their respective superiors, the Grand Generalissimo and Grand Captain-General shall severally act as Grand Master, in order, according to rank. At all other times they shall perform such duties as may be assigned to them by the Grand Encampment, or such as are traditionally appropriate to their respective stations.

4. THE GRAND TREASURER.

The Grand Treasurer, unless otherwise directed by the Grand Encampment, shall invest, from time to time, all such moneys as may come to his hands belonging to the Grand Encampment, over and above the sum of three hundred dollars, in such a way as he may think most to the interest of the Grand Encampment, but subject to call on thirty days' notice. And the same shall be at his command on the first day of September preceding the Triennial Meeting of the Grand Encampment. He shall render to the Grand Encampment, at its Triennial Meetings, a true and perfect account of his doings in this respect, together with an account of all moneys received, the earnings thereon accrued from investments, and the amounts disbursed by him during the vacation ; likewise a copy of the same to the Grand Master, by the first day of September preced

ing the Triennial Meeting, to the end that the Grand Master may make such suggestions on account thereof as he may deem necessary.

He shall pay all drafts drawn upon the Contingent Fund by the Grand Master. (See Art. IV., Sec. 1.)

He shall carefully preserve and render, from time to time, as ordered, an inventory of all property belonging to the Grand Encampment intrusted to his keeping.

5. THE GRAND RECORDER.

The Grand Recorder shall collect and receive all the revenues of the Grand Encampment, and pay over the amount to the Grand Treasurer, whenever it reaches the sum of one hundred dollars. He shall render annually, to the Grand Master and to the Grand Treasurer, copies of his accounts of all moneys received and expended by him, naming the sources from which they were received—bringing up said accounts to the first day of September; likewise to the Grand Encampment triennially, a general account of the same. He shall forward to each new constituted Commandery, immediately upon receiving official notice that a Dispensation has been issued, a copy of this Constitution, together with whatever rules and edicts are in force.

He shall report to the Grand Encampment, on the second day of each Triennial Meeting, the names of those Commanderies working under the immediate

jurisdiction of the Grand Encampment, which have not complied with the requisition (see Art. III., Sec. 4) to furnish him with its full triennial, historical, and financial returns, for the use of the Grand Encampment.

He shall report annually, on the first day of September, to the Grand Master, the names of those Commanderies, working under the immediate jurisdiction of the Grand Encampment, which have not complied with the requisition (see Art. III., Sec. 4) to furnish him with its full annual, historical, and financial returns for the use of the Grand Master.

He shall open and keep a "Book of Templar Masonry," in which shall be entered, in appropriate columns, the following subjects :

A.—*A Register of Commanderies*, to contain :

1. The date of issuing of every Warrant, Dispensation, and Charter for a Grand or Subordinate Commandery, granted by authority of the Grand Encampment since its origin.

2. The roll of officers of the Grand Conclave of the Royal, Exalted, Religious, and Military Order of Masonic Knights Templar in England and Wales, together with the roll of Encampments, officers, and membership of the Provincial Grand Conclave of Canada.

B.—*A Register of Membership*, to contain :

1. The roll of officers of the Grand Encampment, with their terms of service, etc., etc., since the origin of the same.

2. The roll of officers and members of each Grand and Subordinate Commandery, now working under the jurisdiction of the Grand Encampment, with all the current changes resulting from removals, dismissions, suspensions, expulsions, and deaths.

C.—*Historical Data*, tending to lighten up the history of Templar Masonry in the United States.

Likewise to collect, and in orderly volumes bind, a copy of all the proceedings of the Grand Encampment since its organization, together with copies of By-laws, Impressions of Seals, Proceedings of State Grand Commanderies, etc., etc., and to make a triennial report of his official acts.

6. THE REMAINING OFFICERS.

The duties of the remaining officers of the Grand Encampment are such as are traditionally appropriate to their respective stations, or such as may be assigned them by the Grand Encampment.

The Grand Master, the Deputy Grand Master, the Grand Generalissimo, and the Grand Captain-General, are severally authorized to visit and preside in any Commandery of Knights Templar throughout the jurisdiction of the Grand Encampment, and to give such instructions and directions as the good of the institution may require, always adhering to the Ancient Landmarks.

In the event of the absence of all the four principal

officers of the Grand Encampment, the Past Grand Officers, according to rank and seniority of service, shall be empowered to preside.

The Grand Treasurer and the Grand Recorder shall severally give bond and security in such form and to such an amount—but not less than double the estimated triennial receipts by either—as shall, from time to time, be determined by the Grand Master, who shall judge and approve of the sufficiency of such bonds and securities, and who shall keep and preserve the same.

Any Grand Officer, save as above excepted, coming into the receipt of moneys or property belonging to the Grand Encampment, shall forthwith remit the same to the Grand Recorder.

ARTICLE II.

OF THE STATE GRAND COMMANDERIES.

SECTION I.—HOW CONSTITUTED.

Whenever there shall be three or more Subordinate Chartered Commanderies instituted or holden under this Constitution in any one State, District, or Territory in which a Grand Encampment has not heretofore been formed, a *Grand Commandery* may be formed, after obtaining the approval of the Grand Master or the Grand Encampment. Its jurisdiction shall be the territorial limits in which it is holden.

A State Grand Commandery consists of the following members:

1. The Grand Commander.
2. The Deputy Grand Commander.
3. The Grand Generalissimo.
4. The Grand Captain-General.
5. The Grand Prelate.
6. The Grand Senior Warden.
7. The Grand Junior Warden.
8. The Grand Treasurer.
9. The Grand Recorder.
10. The Grand Standard-Bearer.
11. The Grand Sword-Bearer.
12. The Grand Warden ; and
13. The Grand Captain of the Guards.

Likewise,

14. All Past Grand Commanders, (and Masters).
15. All Past Deputy Grand Commanders, (and Deputy Grand Masters).
16. All Past Grand Generalissimos ; and
17. All Past Grand Captains-General of the same Grand Commandery, so long as they remain members of the Subordinate Commanderies under the same territorial jurisdiction.

Likewise,

18. The Commander.
19. The Generalissimos ; and
20. The Captain-General of each Subordinate Commandery working under the same Grand Commandery.

Likewise,

21. All Past Commanders of the Subordinate Commanderies working under the same Grand Commanderies, so long as they remain members of Subordinate Commanderies under the same territorial jurisdiction.

Each of the individuals above mentioned shall be entitled, when present, to one vote in all the proceedings of the State Grand Commandery.

No person shall be eligible to any office in a State Grand Commandery, unless he shall be at the time a member of some Subordinate Commandery, working under the same Grand Commandery.

The Grand Commandery of Massachusetts and Rhode Island is recognized as holding jurisdiction over both those States.

SECTION II.—PROXIES.

Any officer specified in Section 1. of this Article, save and except Past Commanders, may appear and vote *by proxy*, said proxy being at the time of service a member of the same Subordinate Commandery as his principal, and producing a properly authenticated certificate of his appointment.

SECTION III.—TITLES.

The title and designation of the Grand Commander of a State Grand Commandery, is *Right Eminent*,

that of the Deputy Grand Commander, *Very Eminent*; of the remaining officers of the Grand Commandery, *Eminent*.

SECTION IV.—MEETINGS.

The stated meetings of a State Grand Commandery shall occur annually, at such time and place as said Grand Commandery in its discretion may direct.

Special meetings may be called by the Grand Commander at his discretion.

The several Grand Officers shall hold their respective offices until their successors shall be duly elected and installed.

At the stated meetings of each Grand Commandery, there shall be reviewed and considered all the official reports of its officers, and of the Subordinate Commanderies within its jurisdiction, for the preceding year. They shall proceed to elect by ballot the several officers of the Grand Commandery (see Art. II., Sec. 1); to adopt such rules and edicts subordinate to the Constitution of the Grand Encampment of the United States as may be necessary for the good of the Order.

To examine the accounts of the Grand Treasurer and Grand Recorder.

To supervise the state and condition of the finances, and adopt such measures in relation thereto as may be necessary to increase, secure, and preserve the same, and also to insure the utmost punctuality on the part

of every accounting officer in the safe keeping and paying over of the funds and property of the Grand Commandery. To grant or withhold Dispensations and Charters for all new Commanderies—for good cause to revoke any pre-existing Charters or Dispensations; to assign the limits of Subordinate Commanderies within its own jurisdiction, and settle all controversies that may arise between them; and finally, consider and do all matters and things appertaining to the good, well-being, and perpetuation of Templar Masonry, but always subordinate to the Grand Encampment of the United States.

No business shall be transacted at the called meetings, save that which was specified in the original summons.

At every meeting, all questions shall be determined by a majority of votes, the presiding officer, for the time being, being entitled to one vote. In case the votes are equally divided, he shall also give the casting vote. No appeal shall lie to the Grand Commandery from the decision of the Grand Commander.

SECTION V.—DUTIES OF THE OFFICERS.

1. THE GRAND COMMANDER.

The Grand Commander of a State Grand Commandery shall have a watchful supervision over all the Subordinate Commanderies under his jurisdiction, and see that all the constitutional enactments, rules,

and edicts, of the Grand Encampment of the United States, and of his own Grand Commandery, are duly and promptly observed.

He shall have the power and authority, during the recess of his Grand Commandery, to grant Letters of Dispensation to a competent number of petitioners, nine or more, residing within his jurisdiction, and possessing the constitutional qualifications, empowering them to form and open a Commandery; such Dispensations to be in force no longer than the next Annual Meeting of his Grand Commandery. But no Letters of Dispensation for constituting a new Commandery shall be issued, save upon the recommendation of the Commandery in the same territorial jurisdiction nearest the place of the new Commandery prayed for.

He may call special meetings of his Grand Commandery at his discretion. (Art. II., Sec. 4.)

He may visit and preside at any Commandery within the jurisdiction of his Grand Commandery, and give such instructions and directions as the good of the institution may require, but always adhering to the Ancient Landmarks.

It is his duty, either in person or by proxy, to attend all the meetings of the Grand Encampment of the United States.

2. THE DEPUTY GRAND COMMANDER.

The Deputy Grand Commander in the event of the

death, removal, or physical incompetency of his superior, shall act as Grand Commander. At all other times he shall perform such duties as may be assigned him by the Commandery or the Grand Commander.

It is his duty, either in person or by proxy, to attend all the meetings of the Grand Encampment of the United States.

3. THE GRAND GENERALISSIMO AND GRAND CAPTAIN-GENERAL.

In the absence of their respective superiors, the Grand Generalissimo and Grand Captain-General shall severally act as grand Commanders, in order, according to rank. At all other times they shall perform such duties as may be assigned them by the Grand Commandery, or such as are traditionally appropriate to their respective stations.

It is their duty, either in person or by proxy, to attend all meetings of the Grand Encampment of the United States.

4. THE GRAND RECORDER.

The Grand Recorder shall make an annual communication to the Grand Recorder of each of the other Grand Commanderies; likewise to the Grand Master and the Grand Recorder of the Grand Encampment of the United States; said communication to embrace the roll of Grand Officers, and such other matters as may conduce to the general good of the Order. He shall also regularly transmit to the Grand Master and Grand Recorder of the Grand Encamp-

ment of the United States, copies of all the By-laws and Regulations adopted by his Grand Commandery.

The duties of the remaining officers, as well as of those above specified, shall be such as are traditionally appropriate to their respective stations, or allotted to them by the Grand Commandery, and corresponding as near as may be to those of the corresponding officers of the Grand Encampment of the United States.

In the event of the absence of all the four principal officers of the Grand Commandery, the Past Grand Officers, according to the rank and seniority of service, shall be empowered to preside.

ARTICLE III.

OF SUBORDINATE COMMANDERIES.

SECTION I.—HOW CONSTITUTED.

Each State Grand Commandery shall have exclusive power *to constitute new Commanderies* within its jurisdiction. During the recess of the Grand Commandery, the Grand Commander shall have power to grant *Letters of Dispensation* to a competent number of petitioners, nine or more, possessing the constitutional qualifications and residing within its territorial jurisdiction, empowering them to form and open a Commandery for a term of time not extending beyond the next stated meeting of the Grand Commandery.

The Grand Encampment of the United States shall have exclusive power to constitute new Commanderies

within any State, District, or Territory, wherein there is no State Commandery regularly formed, under the authority of the Grand Encampment of the United States. During the recess of the Grand Encampment, the Grand Master shall have the power to grant Letters of Dispensation to a competent number of petitioners, nine or more, possessing the constitutional qualification and residing within said unappropriated State, District, or Territory, empowering them to form and open a Commandery for a term of time not extending beyond the next stated meeting of the Grand Encampment of the United States.

A Subordinate Commandery consists of the following members :

1. The Commander.
2. The Generalissimo.
3. The Captain-General.
4. The Prelate.
5. The Senior Warden.
6. The Junior Warden.
7. The Treasurer.
8. The Recorder.
9. The Standard-Bearer.
10. The Sword-Bearer ; and
11. The Warden.

Likewise,

12. As many members as may be found convenient for work and discipline.

Each of the individuals enumerated in this section, shall be entitled to one vote in all the proceedings of the Subordinate Commandery.

SECTION II.—TITLES.

The title and designation of the Commander of a subordinate Commandery, is *Eminent*.

SECTION III.—MEETINGS.

The stated meetings of a Subordinate Commandery shall occur at least semi-annually, at such time and place as may be specified in the Charter or designated in By-laws of the Commandery.

Special meetings may be called by the Commander at his discretion.

The several officers shall hold their respective offices until their successors shall be duly elected and installed.

No business shall be performed at the called meetings, save that which was specified in the original summons.

At every meeting, all questions shall be determined by a majority of votes, the presiding officer, for the time being, being entitled to one vote. In case the votes are equally divided, he shall also give the casting vote. No appeal shall lie to the Subordinate Commandery from the decision of the Commander.

SECTION IV.—DUTIES OF THE OFFICERS.

1. THE COMMANDER AND RECORDER.

The Commander has it in special charge to see that

the By-laws of his Commandery are duly observed, as well as the Constitution, Rules, and Edicts of the State Grand Commandery, and of the Grand Encampment of the United States; that accurate records are kept, and just accounts rendered; that regular returns are made to the Grand Encampment or Commandery, annually, and that the annual dues are promptly paid.

It is his duty, together with the Generalissimo and Captain-General, either in person or by proxy, to attend all the meetings of his Grand Encampment or Commandery.

It shall be the duty of the Recorder of every Subordinate Commandery, working under the immediate jurisdiction of the Grand Encampment of the United States, to report annually to the Grand Recorder of the Grand Encampment of the United States, up to the first day of August, the roll of his officers and members, and the working roll of his Commandery; and to accompany the same with the amount of dues to the Grand Encampment of the United States. For failure herein, the Commandery so offending shall be subject to Knightly Discipline.

In the event of the absence of all the three principal officers of the Commandery, the Past Commanders, according to rank and seniority of service, shall be empowered to preside.

ARTICLE IV.

MISCELLANEOUS.

SECTION I.—FEES, DUES, FINANCIALS.

The fee for instituting a new Commandery shall not be less than ninety dollars.

For every Knight Templar created in any Commandery, holden by Dispensation or Charter whilst under the immediate jurisdiction of the Grand Encampment of the United States, there shall be paid two dollars into the treasury of the Grand Encampment of the United States.

The Grand Recorder of the Grand Encampment of the United States shall receive ten dollars as his fee for each Charter issued, and five dollars for endorsing, under the seal of the Grand Encampment of the United States, the extension of a Dispensation.

The State Grand Commanderies, respectively, shall possess authority, upon the institution of new Commanderies within their respective jurisdictions, to require from the several Commanderies within their respective jurisdictions, such proportions of the sums received by them for conferring the Orders—likewise, such sums in the form of annual dues from their respective members, as may be necessary for supporting the Grand Commandery.

No Subordinate Commandery shall confer the Orders of Knighthood for a less sum than twenty dollars.

There shall be a Contingent Fund of three hundred dollars, placed to the credit of the Most Eminent Grand Master, on the books of the Grand Treasurer, at the close of each Triennial session, out of which the Grand Master shall reimburse himself for his necessary cash expenses in the performance of his constitutional duties, and make a Triennial report of the same to the Grand Encampment.

There shall be appropriated at each Triennial session of the Grand Encampment of the United States, a sufficient sum to be used by the Grand Recorder, to meet the current expenses of the Secretariat, of which he shall render an account at the succeeding session.

SECTION II.—GENERAL REGULATIONS.

1. No Commandery, Grand or Subordinate, shall confer the Orders of Knighthood upon any one who is not a regular Royal Arch Mason, according to the requirements of the G. G. Chapter of the United States.

2. The rule of succession in conferring the Orders of Knighthood shall be as follows: 1. Knight of the Red Cross. 2. Knight Templar. 3. Knight of Malta.

3. Every Commandery working in a State, District, or Territory, where there is a Grand Commandery, shall have a Dispensation or Charter from said Grand Commandery. And no Commandery hereafter to be

formed or opened in such State, District, or Territory, shall be deemed legal, without such Charter or Dispensation. All Masonic communication, as a Templar, is interdicted between any Commandery working under the general or special jurisdiction of this Grand Encampment, or any member thereof, and any Commandery or member of such, that may be formed, opened, or holden in such State, District, or Territory, without such Charter or Dispensation.

It shall be deemed irregular for any Commandery to confer the orders of Knighthood, or either of them, upon any sojourner, whose settled place of residence is within any State, District, or Territory, in which there is a Commandery regularly at work, until the consent of the Commandery having territorial jurisdiction is first obtained. In the event of the violation of this interdict, the Commandery so offending shall be subject to Knightly discipline, and be required, upon demand, to pay over to the Commandery thus defrauded, the amount of fees received for such admission.

The officers of every Commandery, Grand and Subordinate, before entering upon the exercise of their respective offices, shall take the following obligation, viz.: "I (A. B.) do promise and vow that I will support and maintain the Constitution of the Grand Encampment of Knights Templar of the United States of America."

The Grand Master of this Grand Encampment may issue his proxy to any Knight Templar in regular standing, authorizing him to constitute a subordinate Commandery which has received a Charter ; and any Commandery thus constituted shall be deemed regularly constituted.

SECTION III.—AMENDMENTS.

The Grand Encampment shall be competent, upon the concurrence of three-fourths of its members present at any stated meeting hereafter, to revise, amend, and alter this Constitution, provided one day's previous notice of such motion to amend be given, and a particular time be set to take vote thereon. In all other cases any proposed amendment shall lay over until the next stated meeting of the Grand Encampment, when a concurring vote of two-thirds shall be necessary to adopt such alteration, amendment, or revision.

SECTION IV.—RULES OF ORDER.

RULE 1.—After the ceremony of opening the Grand Encampment, it shall be the duty of the Grand Recorder to read the Minutes of the last Triennial session, unless such reading be dispensed with ; and at the resumption of business in each successive sitting, the Minutes of the preceding meeting shall also be read.

RULE 2.—A Committee on Credentials, consisting of three Sir Knights, shall be appointed by the Grand Master, to report at the opening of the next sitting.

RULE 3.—After the report of this Committee, the Grand Master, Deputy Grand Master, and Grand Generalissimo, and the Grand Captain-General, will successively read the reports of their doings during the preceding three years. These reports shall be referred to the Standing Committee on the Doings of the Grand Officers, who may recommend the apportionment of such parts thereof, to Special or to such other of the Standing Committees as they may deem necessary.

RULE 4.—The Standing Committees shall be:

1. A Committee on the Doings of the Grand Officers.
2. A Committee on Finance.
3. A Committee on Dispensations and new Com-manderies.
4. A Committee on Unfinished Business.
5. A Committee on Grievances.
6. A Committee on Masonic Jurisprudence.
7. A Committee to designate the place of the next Triennial Meeting.

The report of these Committees shall be heard in order, except the last one, which shall report on the last day of the meetings of the Grand Encampment.

RULE 5.—While the several Committees are preparing their reports, the new business may be acted upon ; and if any subject is brought forward requiring a reference to any Standing or Special Committee, it shall be referred so forthwith. All Committees shall make it a point to report as soon as convenient after their appointment.

RULE 6.—No Sir Knight shall be allowed to speak more than once on the same subject, except to explain the meaning of some of his remarks, unless it be by special permission of the Grand Encampment first obtained.

RULE 7.—The Grand Encampment shall proceed to the election of officers, for the ensuing three years, immediately after the opening of the first sitting, on Thursday following the commencement of the Triennial Meetings.

RULE 8.—It shall be the duty of the Grand Master, at each Triennial Meeting, if time permit, to cause an exemplification of the work appertaining to the Orders of Knighthood to be exhibited before the Grand Encampment ; and also to correct, officially, all irregularities and discrepancies that exist.



EDICTS AND DECISIONS

OF THE

GRAND ENCAMPMENT OF THE UNITED STATES.

1. No appeal from the decision of the Eminent Commander of a Commandery lies, in any case what ever. Right or wrong, it is final, and reversible only by himself, or by the Grand Commandery or Grand Commander, in a proper way.

2. An appeal lies from the Subordinate Commandery to the Grand Commandery, for its decision, when in session, or to the Grand Commander during recess.

3. The Eminent Commander of a Subordinate Commandery cannot, after being installed, resign his office.

4. A Subordinate Commandery may not try charges against its Eminent Commander; neither can it dispossess him, for the time being, of his official command, nor substitute the Generalissimo in his place.

But the Grand Commander of the State Grand Commandery has cognizance and ample jurisdiction over the Eminent Commander of each subordinate Commandery.

5. The use of the "previous question," according to the parliamentary sense of the term, has no place in Masonry. The presiding officer, when he wishes the debate to cease, rises. Masonic usage terminates the discussion.

6. The powers and duties of the Eminent Commander are very extensive, and among which he has the right to *summon* the members of his Commandery at his discretion, and when summoned, it is the duty of each Sir Knight to obey that summons.

7. The excuses for not complying with a summons are few indeed, and are those which have a direct or near connection with the word *impossibility*.

A verbal summons from the Eminent Commander is as obligatory upon the party summoned as it would be were it in writing.

The *seal* of the Commandery is not necessary to a written summons.

Every Sir Knight should promptly and strictly obey the summons of his superior, or render a satisfactory excuse.

8. A notice in a newspaper is not a regular summons, nor can it be made a substitute for such sum-

mons. "Due and timely notice" implies a personal notice or summons, either verbal or written.

9. An applicant for the orders should apply to the nearest Commandery, and one under dispensation occupies, *in this respect*, the same position as a chartered Commandery.

10. Past experience has convinced us that it is impolitic to confer the orders upon ministers of the gospel, in preference to others, free of charge.

11. When a companion has been elected to receive the orders, and complaint has been made against him in his Lodge or Chapter for unmasonic conduct, the orders should not be conferred upon him, unless he should be honorably acquitted. It is competent for the Commandery to stay action as to advancing a candidate at any stage of its proceedings.

12. Commanderies, unlike their preceding Masonic Orders, may *adjourn*.

13. The term "*Orders*" should always be used, instead of "*Degrees*."

14. A non-affiliated member of an order has no right to the charity fund of the Order, or to Masonic burial rites.

15. Honorary membership does not entitle the Sir Knight holding it to vote in a Commandery.

16. A Sir Knight named in a dispensation as Commander, who has never been elected and installed as a

Commander, is not entitled to the rank of Past Commander.

17. After a clear ballot for a candidate, nothing except direct and undoubted testimony of unworthiness can interpose to prevent the conferring of the orders. No mere notice, without full statement of the reasons for giving it, should be regarded as of any weight. If any Sir Knight states in open Commandery that he has reasons to give why a candidate who has passed the ordeal of the ballot should not be created a Sir Knight, those reasons must be received and duly weighed.

18. No petition can be received signed by more than one candidate, nor can a petition be acted upon until it has been referred to a committee and a report made.

19. Expulsion from the Order deprives a Knight Templar of all his rights as a Templar. While expelled he is driven from the Order. He has no Templar standing; and although he may be restored to his standing as a Sir Knight by a majority vote, he cannot be restored to *membership* in the Commandery of which he was a member when expelled, except by being regularly elected by a unanimous ballot.

20. The loss of a leg is an insurmountable objection to the creation of a man a Knight Templar.

21. The present Commander of a chartered Commandery should not, at the same time, hold the office

of Commander in another Commandery under dispensation.

22. It is improper to dedicate a Commandery under dispensation, or to install its officers.

23. It is always in the power of the Eminent Commander to order his Commandery to appear either in full costume or fatigue dress, as he may think proper.

24. Any Knight Templar in good standing is eligible to any office that the Grand Encampment, Grand Commandery, or a Subordinate Commandery, may think proper to bestow upon him.

25. The action of a Blue Lodge, in suspending or expelling a Master Mason, who is a Knight Templar, affects his standing in the Commandery. No Templar can hold Masonic intercourse with an expelled Master Mason.

26. Any officer of a Commandery, *except the Commander*, can resign. The Commander cannot.

27. A Grand Commander has the power to make such assessments upon the subordinates as may be necessary for the support of the Grand Commandery.

28. The only test to which a candidate should be subjected is, that he is a Royal Arch Mason. It would be an improper innovation in the by-laws of any Commandery to require that a candidate should be a Royal and Select Master.

29. A Grand Commandery has the power to confer the orders of Knighthood, and to do so with or with-

out fees, as it may deem most expedient. It is, however, a power that should be exercised with great caution, and only on extraordinary occasions.

30. Commanderies, having exclusive power to decide all questions concerning membership, must decide all questions concerning petitions therefore by vote; and as whether or not a petition may be withdrawn, etc.

31. There is no remedy where a member of a Commandery persists in casting a black ball. The ballot *must* be *secret*, and it *must* be *sacred*. It is a right that any member has, which cannot be questioned or interfered with, to reject whomsoever he pleases; and his motion cannot be questioned.

32. In voting for admission into the Order, every member present should be required to cast his ballot, or be excused therefrom by a vote of the Commandery.

33. Any member of a Commandery, in good standing, is eligible to the office of Eminent Commander, notwithstanding he may never have held either the office of Captain-General or Generalissimo.

34. The officers of a Commandery should be elected on the day prescribed in the by-laws of the Commandery for that purpose. It is not necessary that they should be elected on Good Friday.

35. The questions having been submitted, it is determined, for the purpose of uniformity, that whenever two or more Commanderies appear in public to-

gether, the command of the whole devolves upon the Commander of the Senior Commandery ; and that, in such case, the Senior Commandery is entitled to the right of the line ; adding, however, that a proper exercise of Knightly courtesy would, under the circumstances stated, always yield the command to the most experienced and most efficient Commander present, and the right of the line to the best drilled and best equipped Commandery.

36. No man can properly be a member of our order, which is “founded on the Christian religion and the practice of the Christian virtues,” who is not a firm believer in the religion of Jesus Christ ; no one who does not acknowledge Him as the Saviour of mankind, and believe in the atonement offered up by Him on Calvary, can be a worthy Knight Templar. The rules of the order, however, do not require any further or more definite profession of faith than is comprehended in the ritual. One who ridicules or makes light of the Holy Bible, or scoffs at religion, is an unworthy member of the order.

37. A Knight Templar in good standing has the right to object to the conferring of the orders of Knighthood upon a companion Royal Arch Mason in his Commandery, after such companion has been balloted for and declared elected ; and this, whether the objecting Sir Knight was present at the time of balloting or not ; and when such objection is made in open

Commandery, verbally or by a formal communication thereto in writing, the Eminent Commander is not authorized to proceed and confer the Orders upon the candidate. The Sir Knight making the objection cannot be required to disclose his reasons therefor.

38. Every member of a Commandery, in good standing, has a right to know what transpires in his Commandery; but no member of a Commandery should disclose to any one not a member any matters arising during the hours of a regular assembly; nor should any Sir Knight disclose anything transpiring in a Commandery to an absent member, which might be productive of discord and unkind feeling. It should be the constant care of all Knights Templar to promote harmony and concord, not only in their own Commanderies, but among all the members of the Order within the circle of their acquaintance.

39. An Eminent Commander cannot resign his office during the term for which he is elected, after being duly installed.

40. A Sir Knight cannot be an active member and enjoy all the privileges and rights of two Commanderies at the same time, one of them being under dispensation. When a Templar signs a petition for a dispensation to form a new Commandery, if the dispensation be granted, his membership in his old Commandery remains in abeyance, and he is an active member of the new Commandery while under dispen-

sation ; and if the dispensation be followed by a charter to the new Commandery, he continues a member of that, and ceases to be a member of the old one.

41. Whenever a Grand Commander removes from the jurisdiction of his Grand Commandery, he thereby vacates his office, the powers of which devolve upon the Deputy and remaining officers, according to seniority. As a permanent removal from the jurisdiction vacates the office of the Grand Commander, it follows, as a necessary consequence, that after such removal he cannot exercise the powers of his office.

42. A Commandery under dispensation has the same exclusive jurisdiction within the territory which, in case a charter should be obtained, would belong to it, that would appertain to a chartered Commandery.

43. In the absence of any provision in the by-laws of a Commandery to the contrary, the petition of a companion who is rejected may be presented at any regular meeting subsequent to that at which the rejection occurs.

44. The rituals of the orders of Knighthood should not be written.

45. Upon application for the orders of Knighthood, the vote must be by ballot. The ballot is secret, and has the same effect as a ballot in a Lodge of Master Masons.

46. Petitions for the orders of Knighthood can only

be received and acted upon at *regular* conclaves of the Commandery.

47. A Past Commander who is only an honorary member of a Commandery cannot open the same in the absence of the three principal officers (*i. e.*, the Eminent Commander, Generalissimo, and Captain-General), he being at the time an active member and also an officer of another Commandery. The last clause of Section 4 of Article 3 of the Grand Constitution relates to Past Eminent Commanders who are members of a Commandery. Honorary membership does not confer the right to vote in any Commandery, nor any rank or standing therein, but is merely complimentary.

TEMPLAR'S UNIFORM.

FULL DRESS.—Black frock-coat, black pantaloons, scarf, belt, sword, shoulder straps, gauntlets, and chapeau, with appropriate trimmings.

FATIGUE DRESS.—Same as full dress, except for chapeau a black cloth cap, navy form, with appropriate cross in front, and for gauntlets white gloves.

SCARF.—Five inches wide in the whole, of white, bordered with black, one inch on either side, a strip of navy lace one-fourth of an inch wide at the inner edge of the black. On the front centre of the scarf a metal star of nine points, in allusion to the nine founders of the Templar Order, enclosing the Passion Cross, surrounded by the Latin motto, "*In hoc Signo Vincas*;"

the star to be three and three-quarters of an inch in diameter. The scarf to be worn from the right shoulder to the left hip, with the ends extending six inches below the point of intersection.

CHAPEAU.—The military chapeau, trimmed with black binding, one white and two black plumes, and appropriate cross on the left side.

GAUNTLETS.—Of buff leather, the flap to extend four inches upward from the wrist, and to have the appropriate cross embroidered in gold, on the proper colored velvet, two inches in length.

SWORD.—Thirty-four to forty inches, inclusive of scabbard, helmet head, cross handle, and metal scabbard.

BELT.—Red enamelled or patent leather, two inches wide, fastened round the body with buckle or clasp.

SHOULDER STRAPS.—*For Grand Master and Past Grand Masters of the Grand Encampment.*—Royal purple silk velvet, two inches wide by four inches long (outside measurement), bordered with two rows of embroidery, of gold, three-eighths of an inch wide; the Cross of Salem embroidered, of gold, in the centre, lengthwise.

For all other Grand Officers of the Grand Encampment.—The same as the Grand Master, except for the Cross of Salem, the Patriarchal Cross, of gold, with the initials of the office respectively, embroidered, of silver, (OLD ENGLISH CHARACTERS), at the foot of the cross, narrowwise of the strap.

For the Officers and Past Grand Officers of a Grand Commandery.—Bright red silk velvet, bordered with one row of embroidery, of gold, quarter of an inch wide; the Templar's Cross, of gold, with the initials of

the office, respectively, to be embroidered (OLD ENGLISH CHARACTERS), of silver, on the lower end of the strap.

For the Commander and Past Commanders of a Subordinate Commandery.—Emerald green silk velvet, embroidered with one row of embroidery, of gold, quarter of an inch wide; the Passion Cross with a halo, embroidered, of silver, in the centre.

For the Generalissimo.—Same as the Commander, except for the Passion Cross, the Square surmounted with the Paschal Lamb.

For the Captain General.—Same as the Commander, except for the Passion Cross, the Level surmounted with the Cock.

CAP.—Navy form; black cloth, four inches high, narrow leather strap fastened at the sides with small metal Templar's Cross, and with appropriate cross in front.

DISTINCTIONS.—The Sir Knights will wear white metal wherever metal appears. Commanders and Past Commanders, Grand and Past Grand Officers, gold.

CROSSES.—Sir Knights, Commanders, and Past Commanders of Subordinate Commanderies, will wear the Passion Cross; Grand and Past Grand Officers of State Commanderies, the Templar Cross; Grand and Past Grand Officers of the Grand Encampment, the Patriarchal Cross; the Grand Master and Past Grand Masters of the Grand Encampment, the Cross of Salem, which is the Patriarchal Cross, with an additional bar in the centre.

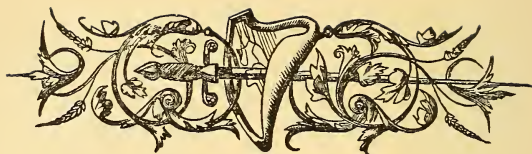
The various crosses as designated, to be worn on the side of the chapeau, and on the scabbard of the sword. Those on the chapeau, to be three inches in height; on the sword, one inch.

HANGINGS FOR JEWELS.—The hangings of Grand and Subordinate Commanderies may remain as at present.

GRAND STANDARD.—Is of white woollen or silk stuff, six feet in height and five feet in width, made tripartite at the bottom, fastened at the top to the cross-bar by nine rings; in the centre of the field, a blood-red Passion Cross, over which is the motto, "*In hoc Signo Vincas,*" and under, "*Non nobis, Domine! non nobis, sed Nomini tuo da gloriam!*" The cross to be four feet high, and the upright and bar to be seven inches wide. On the top of the staff, a gilded ball, four inches in diameter, surmounted by Patriarchal Cross, twelve inches in height. The cross to be crimson, edged with gold.

BEAUSEANT.—Of woollen or silk stuff, same form and dimensions as the Grand Standard, and suspended in the same manner. The upper half of this banner is black, the lower half white.

PRELATE'S ROBES.—A full white linen or muslin robe, open behind, reaching down within six inches of the feet, fastened around the neck below the cravat, which should be white, and having flowing woollen cloak, lined with white, fastened around the neck, and extending down to the bottom of the sleeves reaching to the middle of the hand. A white robe; on the left front, a red velvet Templar Cross six inches in width. A blue silk stole, reaching down in front to within six inches of the bottom of the robe, and having on it three Templar Crosses of red silk. Mitre of white merino, bordered with gold, lined with green, having the red Templar Cross extending to the edges, and surmounted by a Passion Cross three inches high. The special badge of his office is a Crozier



THE ANCIENT LANDMARKS OF FREE- MASONRY.

THE Ancient Landmarks of Freemasonry are those universal and immutable laws and regulations which form the basis and distinguishing characteristics of the Order, and which have existed from time immemorial. Their essential elements are antiquity that reaches beyond memory or history, and universal recognition and observance among regular Masons. But their most striking peculiarity is that they are *unrepealable*; and it is beyond the legitimate power of any body of Masons to change or modify them in the slightest particular.

They are either *unwritten* or *written*. The unwritten landmarks are those peculiar marks of distinction by which Masons are separated from the outer world. To this class belong most of the methods of recognition, as also the more material portions of the entire body of esoteric Masonry.

The written landmarks are distinguished by the same characteristics as the unwritten, except that of

secrecy ; they being public in their nature. They are twenty-five in number, and are classed by the highest authorities in the following order :

LANDMARK FIRST.

The modes of recognition are, of all the Landmarks, the most legitimate and unquestioned. They admit of no variation ; and if ever they have suffered alteration or addition, the evil of such a violation of the ancient law has always made itself subsequently manifest.

LANDMARK SECOND.

The division of Symbolic Masonry into three degrees, is a Landmark that has been better preserved than almost any other.

LANDMARK THIRD.

The legend of the Third Degree is an important Landmark, the integrity of which has been well preserved. There is no rite of Masonry, practised in any country or language, in which the essential elements of this legend are not taught. The lectures may vary, and indeed are constantly changing, but the legend has ever remained substantially the same. And it is necessary that it should be so, for the legend of the Temple Builder constitutes the very essence and identity of Masonry. Any rite which should exclude it,

or materially alter it, would at once, by that exclusion or alteration, cease to be a Masonic rite.

LANDMARK FOURTH.

The government of the Fraternity, by a presiding officer called a *Grand Master*, who is elected from the body of the craft, is a fourth Landmark of the Order. Many persons ignorantly suppose that the election of the Grand Master is held in consequence of a law or regulation of the Grand Lodge. Such, however, is not the case. The office is indebted for its existence to a Landmark of the Order. Grand Masters are to be found in the records of the institution long before Grand Lodges were established; and if the present system of legislative government by Grand Lodges were to be abolished, a Grand Master would still be necessary. In fact, although there has been a period within the records of history, and indeed of very recent date, when a Grand Lodge was unknown, there never has been a time when the craft did not have their Grand Master.

LANDMARK FIFTH.

The prerogative of the Grand Master to preside over every assembly of the craft, wheresoever and whensoever held, is a fifth Landmark. It is in consequence of this law, derived from ancient usage, and not from any special enactment, that the Grand Mas-

ter assumes the chair, or as it is called in England, "the throne," at every communication of the Grand Lodge; and that he is also entitled to preside at the communication of every subordinate lodge, where he may happen to be present.

LANDMARK SIXTH.

The prerogative of the Grand Master to grant dispensations for conferring degrees at irregular times, is another and very important Landmark. The statutory law of Masonry requires a month, or other determinate period, to elapse between the presentation of a petition and the election of a candidate. But the Grand Master has the power to set aside or dispense with this probation, and to allow a candidate to be initiated at once.

LANDMARK SEVENTH.

The prerogative of the Grand Master to give dispensations for opening and holding lodges, is another Landmark. He may grant, in virtue of this, to a sufficient number of Masons, the privilege of meeting together and conferring degrees. The lodges thus established are called "Lodges under Dispensation." They are strictly creatures of the Grand Master, created by his authority, existing only during his will and pleasure, and liable at any moment to be dissolved at his command. They may be continued for a day, a

month, or six months; but whatever be the period of their existence, they are indebted for that existence solely to the grace of the Grand Master

LANDMARK EIGHTH.

The prerogative of the Grand Master to make Masons at sight, is a Landmark which is closely connected with the preceding one. There has been much misapprehension in relation to this Landmark, which misapprehension has sometimes led to a denial of its existence in jurisdictions where the Grand Master was perhaps at the very time substantially exercising the prerogative, without the slightest remark or opposition. It is not to be supposed that the Grand Master can retire with a profane into a private room, and there, without assistance, confer the degrees of Freemasonry upon him. No such prerogative exists, and yet many believe that this is the so much talked of right of "making Masons at sight." The real mode, and the only mode of exercising the prerogative is this: The Grand Master summons to his assistance not less than six other Masons, convenes a lodge, and without any previous probation, but *on sight* of the candidate, confers the degrees upon him, after which he dissolves the lodge, and dismisses the brethren. Lodges thus convened for special purposes are called "occasional lodges." The making of Masons at sight is only the conferring of the degrees by the Grand Master, at

once, in an occasional lodge, constituted by his dispensing power for the purpose, and over which he presides in person.

LANDMARK NINTH.

The necessity for Masons to congregate in lodges is another Landmark. It is not to be understood by this that any ancient Landmark has directed that permanent organization of subordinate lodges which constitutes one of the features of the Masonic system as it now prevails. But the Landmarks of the Order always prescribed that Masons should from time to time congregate together, for the purpose of either operative or speculative labor, and that these congregations should be called *Lodges*.

LANDMARK TENTH.

The government of the Craft, when so congregated in a lodge, by a Master and two Wardens, is also a Landmark. The presence of a Master and two Wardens is as essential to the valid organization of a lodge as a warrant of constitution is at the present day. The names, of course, vary in different languages, the Master, for instance, being called "Venerable" in French Masonry, and the Wardens "Surveillants," but the officers, their number, prerogatives, and duties, are everywhere identical.

LANDMARK ELEVENTH.

The necessity that every lodge, when congregated, should be duly tiled, is an important landmark of the institution, which is never neglected. The necessity of this law arises from the esoteric character of Masonry. As a secret institution, its portals must of course be guarded from the intrusion of the profane, and such a law must therefore always have been in force from the very beginning of the Order. It is therefore properly classed among the most ancient Landmarks.

LANDMARK TWELFTH.

The right of every Mason to be represented in all general meetings of the craft, and to instruct his representatives, is a twelfth Landmark. Formerly, these general meetings, which were usually held once a year, were called "General Assemblies," and all the fraternity, even to the youngest Entered Apprentice, were permitted to be present. Now they are called "Grand Lodges," and only the Masters and Wardens of the subordinate lodges are summoned. But this is simply as the representatives of their members.

LANDMARK THIRTEENTH.

The right of every Mason to appeal from the decision of his brethren in lodge convened, to the Grand Lodge or General Assembly of Masons, is a Landmark

highly essential to the preservation of justice, and the prevention of oppression. A few modern Grand Lodges, in adopting a regulation that the decision of subordinate lodges, in cases of expulsion, cannot be wholly set aside upon an appeal, have violated this unquestioned Landmark, as well as the principles of just government.

LANDMARK FOURTEENTH.

The right of every Mason to visit and sit in every regular lodge is an unquestionable Landmark of the Order. This is called "the right of visitation." This right of visitation has always been recognized as an inherent right, which inures to every Mason as he travels through the world. And this is because lodges are justly considered as only divisions for convenience of the universal Masonic family. This right may, of course, be impaired or forfeited on special occasions by various circumstances; but when admission is refused to a Mason in good standing, who knocks at the door of a lodge as a visitor, it is to be expected that some good and sufficient reason shall be furnished for this violation of what is in general a Masonic right, founded on the Landmarks of the Order.

LANDMARK FIFTEENTH.

It is a Landmark of the Order, that no visitor, unknown to the brethren present, or to some one of

them as a Mason, can enter a lodge without first passing an examination according to ancient usage. Of course, if the visitor is known to any brother present to be a Mason in good standing, and if that brother will vouch for his qualifications, the examination may be dispensed with; as the Landmark refers only to the cases of strangers, who are not to be recognized unless after strict trial, due examination, or lawful information.

LANDMARK SIXTEENTH.

No lodge can interfere in the business of another lodge, nor give degrees to brethren who are members of other lodges.

LANDMARK SEVENTEENTH.

It is a Landmark that every Freemason is amenable to the laws and regulations of the Masonic jurisdiction in which he resides, and this although he may not be a member of any lodge. Non-affiliation does not exempt a Mason from Masonic jurisdiction.

LANDMARK EIGHTEENTH.

Certain qualifications of candidates for initiation are derived from a Landmark of the Order. These qualifications are that he shall be a man—shall be unmutilated, free-born, and of mature age. That is to say, a woman, a cripple, or a slave, or one born in

slavery, is disqualified for initiation into the rites of Masonry.

LANDMARK NINETEENTH.

A belief in the existence of God as the Grand Architect of the universe, is one of the most important Landmarks of the Order. It has been always deemed essential that a denial of the existence of a Supreme and Superintending Power, is an absolute disqualification for initiation.

LANDMARK TWENTIETH.

Subsidiary to this belief in God, as a Landmark of this Order, is the belief in a resurrection to a future life. This Landmark is not so positively impressed on the candidate by exact words as the preceding; but the doctrine is taught by very plain implication, and runs through the whole symbolism of the Order.

LANDMARK TWENTY-FIRST.

It is a Landmark, that a "Book of the Law" shall constitute an indispensable part of the furniture of every lodge.

LANDMARK TWENTY-SECOND.

The equality of all Masons is another Landmark of the Order. This equality has no reference to any subversion of those gradations of rank which have been instituted by the usages of society. But the doctrine of Masonic equality implies that, as children of one

great Father, we meet in the lodge upon the level. When the labors of the lodge are over, and the brethren have retired from their peaceful retreat, to mingle once more with the world, each will then again resume that social position, and exercise the privileges of that rank, to which the customs of society entitle him.

LANDMARK TWENTY-THIRD.

The secrecy of the institution is another and a most important Landmark. Whatever objections may, therefore, be made to the institution, on account of its secrecy, and however much some unskilful brethren have been willing in times of trial, for the sake of expediency, to divest it of its secret character, it will be ever impossible to do so, even were the Landmark not standing before us as an insurmountable obstacle ; because such change of its character would be social suicide, and the death of the Order would follow its legalized exposure. Freemasonry, as a secret association, has lived unchanged for centuries—as an open society it would not last for as many years.

LANDMARK TWENTY-FOURTH.

The foundation of a speculative science upon an operative art, and the symbolic use and explanations of the terms of that art, for purposes of religious or moral teaching, constitute another Landmark of the Order.

LANDMARK TWENTY-FIFTH.

The last and crowning Landmark of all is, that these Landmarks can never be changed. Nothing can be subtracted from them—nothing can be added to them—not the slightest modification can be made in them.





ANCIENT CONSTITUTIONS.

THE OLD YORK CONSTITUTIONS OF 926.

The Fifteen Articles.

1. The Master must be steadfast, trusty, and true ; provide victuals for his men, and pay their wages punctually.

2. Every Master shall attend the Grand Lodge when duly summoned, unless he have a good and reasonable excuse.

3. No Master shall take an apprentice for less than seven years.

4. The son of a bondman shall not be admitted as an Apprentice, lest when he is introduced into the lodge any of the brethren should be offended.

5. A candidate must be without blemish, and have the full and proper use of his limbs ; for a maimed man can do the craft no good.

6. The Master shall take especial care, in the admission of an Apprentice, that he do his lord no prejudice.

7. He shall harbor no thief or thiet's retainer, lest the craft should come to shame.

8. If he unknowingly employ an imperfect man, he shall discharge him from the work when his inability is discovered.

9. No Master shall undertake a work that he is not able to finish to his lord's profit and the credit of his lodge.

10. A brother shall not supplant his fellow in the work, unless he be incapable of doing it himself; for then he may lawfully finish it, that pleasure and profit may be the mutual result.

11. A Mason shall not be obliged to work after the sun has set in the west.

12. Nor shall he decry the work of a brother or fellow, but shall deal honestly and truly by him, under a penalty of not less than ten pounds.

13. The Master shall instruct his Apprentice faithfully, and make him a perfect workman.

14. He shall teach him all the secrets of his trade,

15. And shall guard him against the commission of perjury, and all other offences by which the craft may be brought to shame.

The Fifteen Points.

1. Every Mason shall cultivate brotherly love and the love of God, and frequent holy church.

2. The workman shall labor diligently on work-days, that he may deserve his holidays.

3. Every Apprentice shall keep his Master's counsel, and not betray the secrets of his lodge.

4. No man shall be false to the craft, or entertain prejudice against his Master or fellows.

5. Every workman shall receive his wages weekly, and without scruple; and should the Master think proper to dismiss him from the work, he shall have due notice of the same before H. xii.

6. If any dispute arise among the brethren it shall be settled on a holiday, that the work be not neglected, and God's law fulfilled.

7. No Mason shall debauch, or have carnal knowledge of the wife, daughter, or concubine of his Master or fellows.

8. He shall be true to his Master, and a just mediator in all disputes or quarrels.

9. The Steward shall provide good cheer against the hour of refreshment, and each fellow shall punctually defray his share of the reckoning, the Steward rendering a true and correct account.

10. If a Mason live amiss, or slander his brother, so as to bring the craft to shame, he shall have no further maintenance among the brethren, but shall be summoned to the next Grand Lodge; and if he refuse to appear, he shall be expelled.

11. If a brother see his fellow hewing a stone, and

likely to spoil it by unskilful workmanship, he shall teach him to amend it, with fair words and brotherly speeches.

12. The General Assembly, or Grand Lodge, shall consist of Master and Fellows, Lords, Knights, and Squires, Mayor and Sheriff, to make new laws, and to confirm old ones, when necessary.

13. Every brother shall swear fealty, and if he violate his oath, he shall not be succored or assisted by any of the fraternity.

14. He shall make oath to keep secrets, to be steadfast and true to all the ordinances of the Grand Lodge, to the King and Holy Church, and to all the several points herein specified.

15. And if any brother break his oath, he shall be committed to prison, and forfeit his goods and chattels to the King.

They conclude as follows :

That a General Assembly shall be held every year, with the Grand Master at its head, to enforce these regulations, and to make new laws, when it may be expedient to do so, at which all the brethren are competent to be present; and they must renew their O. B. to keep these statutes and constitutions, which have been ordained by King Athelstan, and adopted by the Grand Lodge at York. And this Assembly further directs that, in all ages to come, the existing Grand

Lodge shall petition the reigning monarch to confer his sanction on their proceedings.

THE CONSTITUTIONS OF EDWARD III.—1327–1377.

1. That for the future, at the making or admission of a brother, the constitutions and the charges shall be read.

2. That Master Masons, or Masters of the work, shall be examined whether they be able of cunning to serve their respective lords, as well the highest as the lowest, to the honor and worship of the aforesaid art, and to the profit of their lords ; for they be their lords that employ them for their travel.

3. That when the Master and Wardens meet in a lodge, if need be, the sheriff of the county, or the mayor of the city, or alderman of the town, in which the congregation is held, should be made fellow and sociate to the Master, in help of him against rebels, and for upbearing the rights of the realm.

4. That Entered Prentices at their making were charged not to be thieves, or thieves-maintainers ; that they should travel honestly for their pay, and love their Fellows as themselves, and be true to the King of England, and to the realm, and to the Lodge.

5. That at such congregations it shall be enquired, whether any Master or Fellow has broken any of the articles agreed to. And if the offender, being duly cited to appear, prove rebel, and will not attend, then

the Lodge shall determine against him that he shall forswear (or renounce) his Masonry, and shall no more use this Craft; the which, if he presume for to do, the Sheriff of the county shall prison him, and take all his goods into the king's hands, till his grace be granted him an issue: for this cause principally have these congregations been ordained, that as well the lowest as the highest should be well and truly served in this art foresaid throughout all the kingdom of England.

REGULATIONS OF 1663.

1. That no person, of what degree soever, be made or accepted a Freemason, unless in a regular Lodge, whereof one to be a Master or Warden in that limit or division where such lodge is kept, and another to be a craftsman in the trade of Freemasonry.

2. That no person shall hereafter be accepted a Freemason but such as are of able body, honest parentage, good reputation, and an observer of the laws of the land.

3. That no person hereafter who shall be accepted a Freemason shall be admitted into any lodge or assembly, until he has brought a certificate of the time and place of his acceptation from the lodge that accepted him, unto the Master of that limit or division where such lodge is kept; and the said Master shall enroll the same in a roll of parchment, to be kept for

that purpose, and shall give an account of all such acceptations at every General Assembly.

4. That every person who is now a Freemason shall bring to the Master a note of the time of his acceptation, to the end the same may be enrolled in such priority of place as the brother deserves; and that the whole company and Fellows may the better know each other.

5. That for the future the said fraternity of Freemasons shall be regulated and governed by one Grand Master, and as many Wardens as the said society shall think fit to appoint at every annual General Assembly.

6. That no person shall be accepted, unless he be twenty-one years old or more.

THE ANCIENT INSTALLATION CHARGES OF JAMES II.
1685-'88.

1. That ye shall be true men to God and the Holy Church, and to use no error or heresy by your understanding, and by wise men's teaching.

2. That ye shall be true liegemen to the King of England, without treason or any falsehood, and that ye know no treason but ye shall give knowledge thereof to the king, or to his counsel; also, ye shall be true one to another, that is to say, every Mason of the craft that is Mason allowed, ye shall do to him as ye would be done unto yourself.

3. And ye shall keep truly all the counsel that ought to be kept in the way of Masonhood, and all the counsel of the Lodge or of the chamber. Also, that ye shall be no thief, nor thieves to your knowledge free; that ye shall be true to the king, lord, or master that ye serve, and truly see and work for his advantage.

4. Ye shall call all Masons your Fellows, or your brethren, and no other names.

5. Ye shall not take your Fellow's wife in villainy, nor deflower his daughter or servant, nor put him to disworship.

6. Ye shall truly pay for meat or drink, wheresoever ye go to table or board. Also, ye shall do no villainy there, whereby the craft or science may be slandered.

THE ANCIENT CHARGES AT MAKINGS.

1. That a Mason take on him no lord's work, nor any other man's, unless he know himself well able to perform the work, so that the craft have no slander.

2. Also, that no Master take work but that he take reasonable pay for it; so that the lord may be truly served, and the Master to live honestly, and to pay his Fellows truly. And that no Master or Fellow supplant others of their work; that is to say, that if he hath taken a work, or else stand Master of any work, that he shall not put him out, unless he be unable of

cunning to make an end of his work. And no Master nor Fellow shall take an Apprentice for less than seven years. And that the Apprentice be free born, and of limbs whole as a man ought to be, and no bastard. And that no Master nor Fellow take no allowance to be made Mason without the assent of his Fellows, at the least six or seven.

3. That he that be made be able in all degrees; that is, free born, of a good kindred, true, and no bondsman, and that he have his right limbs as a man ought to have.

4. That a Master take no Apprentice without he have occupation to occupy two or three Fellows at least.

5. That no Master or Fellow put away any lord's work to task that ought to be journeywork.

6. That every Master give pay to his Fellows and servants as they may deserve, so that he be not defamed with false working. And that none shall slander another behind his back to make him lose his good name.

7. That no Fellow in the house or abroad answer another ungodly or reproveably without a cause.

8. That every Master Mason do reverence to his elder; and that a Mason be no common player at the cards, dice, or hazard; or at any unlawful plays, through the which the science and craft may be dishonored and slandered.

9. That no Fellow go into the town by night, except he have a Fellow with him, who may bear him record that he was in an honest place.

10. That every Master and Fellow shall come to the assembly, if it be within fifty miles of him, if he have any warning. And if he have trespassed against the craft, to abide the reward of Masters and Fellows.

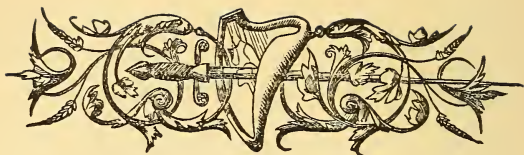
11. That every Master Mason and Fellow that hath trespassed against the craft shall stand to the correction of other Masters and Fellows to make him accord; and if they cannot accord, to go to the common law.

12. That a Master or Fellow make not a mould stone, square nor rule, to no lowen, nor let no lowen work within their lodge nor without, to mould stone.

13. That every Mason receive and cherish strange Fellows, when they come over the country, and set them on work, if they will work, as the manner is; that is to say, if the Mason have any mould stone in his place, he shall give him a mould stone, and set him on work; and if he have none, the Mason shall refresh him with money until the next lodge.

14. That every Mason shall truly serve his Master for his pay.

15. That every Master shall truly make an end of his work, task, or journey, whither so it be.



THE CHARGES OF A FREEMASON.

Extracted from the Ancient Records of Lodges beyond Sea, and of those in England, Scotland, and Ireland, for the use of the Lodges in London. To be read at the making of New Brethren, or when the Master shall order it.

THE GENERAL HEADS, viz :

I.—OF GOD and RELIGION; II.—Of the CIVIL MAGISTRATE, Supreme and Subordinate; III.—Of LODGES; IV.—Of MASTERS, WARDENS, FELLOWS, and APPRENTICES; V.—Of the Management of the CRAFT in working; VI.—Of BEHAVIOR, viz : 1. In the Lodge while CONSTITUTED. 2. After the Lodge is over, and the BRETHREN not gone. 3. When Brethren meet without STRANGERS, but not in a LODGE. 4. In presence of STRANGERS NOT MASONS. 5. At HOME and in the NEIGHBORHOOD. 6. Toward a STRANGE BROTHER.

I.—CONCERNING GOD AND RELIGION.

A Mason is obliged by his tenure, to obey the moral law; and if he rightly understands the Art. he will never be a

stupid Atheist, nor an irreligious Libertine. But though in ancient times Masons were charged in every country to be of the Religion of that country or nation, whatever it was, it is now thought more expedient only to oblige them to that Religion in which all men agree, leaving their particular opinions to themselves; that is, to be *good men and true*, or men of honor and honesty, by whatever denominations or persuasions they may be distinguished; whereby Masonry becomes the *Center of Union*, and the means of conciliating true Friendship among persons that must have remained at a perpetual distance.

II.—OF THE CIVIL MAGISTRATE, SUPREME AND SUBORDINATE.

A Mason is a peaceable subject to the civil powers wherever he resides or works, and is never to be concerned in plots and conspiracies against the peace and welfare of the nation, nor to behave himself undutifully to inferior magistrates; for as Masonry hath been always injured by war bloodshed, and confusion, so ancient kings and princes have been much disposed to encourage the Craftsmen, because of their peaceableness and loyalty, whereby they practically answered the cavils of their adversaries, and promoted the honor of the Fraternity, who ever flourished in times of peace. So that if a Brother should be a rebel against the State, he is not to be countenanced in his rebellion, however he may be pitied as an unhappy man; and, if convicted of no other crime, though the loyal brotherhood must and ought to disown his rebellion, and give no umbrage or ground of political jealousy to the government for the time being, they cannot expel him from the lodge, and his relation to it remains indefeasible.

III.—OF LODGES.

A Lodge is a place where Masons assemble and work. Hence that Assembly, or duly organized Society of Masons, is called a *Lodge*, and every Brother ought to belong to one, and to be subject to its by-laws and the General Regulations. It is either particular or general, and will be best understood by attending it, and by the Regulations of the General or Grand Lodge hereunto annexed. In ancient times, no Master or Fellow could be absent from it, especially when warned to appear at it, without incurring a severe censure, until it appeared to the Master and Wardens that pure necessity hindered him.

The persons admitted members of a lodge must be good and true men, free-born, and of mature and discreet age; no bondmen, no women, no immoral or scandalous men, but of good report.

IV.—OF MASTERS, WARDENS, FELLOWS AND APPRENTICES.

All preferment among Masons is grounded upon real worth and personal merit only; that so the lords may be well served, the brethren not put to shame, nor the Royal Craft despised: Therefore no Master or Warden is chosen by seniority, but for his merit. It is impossible to describe these things in writing, and every Brother must attend in his place, and learn them in a way peculiar to this Fraternity: Only candidates may know that no Master should take an Apprentice, unless he has sufficient employment for him, and unless he be a perfect youth, having no maim or defect in his body, that may render him incapable of learning the art of serving his master's Lord, and of being made a *Brother*, and then a *Fellow*

Craft in due time, even after he has served such a term of years as the custom of the country directs; and that he should be descended of honest parents; that so, when otherwise qualified, he may arrive to the honor of being the *Warden*, and then the *Master* of the Lodge, the *Grand Warden*, and at length the *Grand Master* of all the Lodges, according to his merit.

No Brother can be a Warden until he has passed the part of a Fellow Craft; nor a Master until he has acted as a Warden, nor Grand Warden until he has been Master of a Lodge, nor GRAND MASTER, unless he has been a Fellow Craft before his election, who is also to be nobly born, or a gentleman of the best fashion, or some eminent scholar, or some curious architect or other artist, descended of honest parents, and who is of singular great merit in the opinion of the lodges. And for the better, and easier, and more honorable discharge of his office, the Grand Master has a power to choose his own Deputy Grand Master, who must be then, or must have been formerly, the Master of a particular lodge, and has the privilege of acting whatever the Grand Master, his Principal, should act, unless the said Principal be present, or interpose his authority by a letter.

These rulers and governors—supreme and subordinate—of the ancient Lodge, are to be obeyed in their respective stations by all the Brethren, according to the old Charges and Regulations, with all humility, reverence, love and alacrity.

V.—OF THE MANAGEMENT OF THE CRAFT IN WORKING.

▲ All Masons shall work honestly on working-days, that they may live creditably on holy-days; and the time appointed

by the law of the land, or confirmed by custom, shall be observed.

The most expert of the Fellow Craftsmen shall be chosen or appointed the Master or Overseer of the Lord's work; who is to be called MASTER by those that work under him. The Craftsmen are to avoid all ill language, and to call each other by no disobliging name, but Brother or Fellow, and to behave themselves courteously within and without the lodge.

The Master knowing himself to be able of cunning, shall undertake the Lord's work as reasonably as possible, and truly dispend his goods as if they were his own; nor to give more wages to any Brother or Apprentice than he really may deserve.

Both the Master and the Masons receiving their wages justly, shall be faithful to the Lord, and honestly finish their work, whether task or journey; nor put the work to task that hath been accustomed to journey.

None shall discover envy at the prosperity of a Brother, nor supplant him, or put him out of his work, if he be capable to finish the same; for no man can finish another's work so much to the Lord's profit, unless he be thoroughly acquainted with the designs and drafts of him that began it.

When a Fellow-Craftsman is chosen Warden of the work under the Master, he shall be true both to Master and Fellows, shall carefully oversee the work in the Master's absence to the Lord's profit; and his Brethren shall obey him.

All Masons employed shall meekly receive their wages, without murmuring or mutiny, and not desert the Master till the work is finished.

A younger Brother shall be instructed in working, to prevent spoiling the materials for want of judgment, and for increasing and continuing of Brotherly Love.

All the tools used in working shall be approved by the Grand Lodge.

No laborer shall be employed in the proper work of Masonry; nor shall *Free Masons* work with those that are not free, without an urgent necessity; nor shall they teach laborers and unaccepted Masons as they should teach a Brother or Fellow.

VI.—OF BEHAVIOR.

1.—*In the Lodge while constituted.*

You are not to hold private committees or separate conversation, without leave from the Master, nor to talk of any thing impertinent or unseemly, nor interrupt the Master or Wardens, or any Brother speaking to the Master: Nor behave yourself ludicrously or jestingly while the Lodge is engaged in what is serious and solemn; nor use any unbecoming language upon any pretence whatsoever; but to pay due reverence to your Master, Wardens and Fellows, and put them to worship.

If any complaint be brought, the Brother found guilty shall stand to the award and determination of the Lodge, who are the proper and competent judges of all such controversies, (unless you carry it by appeal to the Grand Lodge,) and to whom they ought to be referred, unless a Lord's work be hindered the mean while, in which case a particular reference may be made; but you must never go to law about what concerneth MASONRY, without an absolute necessity, apparent to the Lodge.

2.—*Behavior after the Lodge is over, and the Brethren not gone.*

You may enjoy yourselves with innocent mirth, treating one another according to ability, but avoiding all excess, or forcing any Brother to eat or drink beyond his inclination, or hindering him from going when his occasions call him, or doing or saying any thing offensive, or that may forbid an EASY and FREE conversation; for that would blast our harmony, and defeat our laudable purposes. Therefore no private piques or quarrels must be brought within the door of the Lodge, far less any quarrels about religion, or nations, or State policy, we being only, as Masons, of the Catholic religion above mentioned; we are also of all nations, tongues, kindreds and languages, and are resolved against *all politics*, as what never yet conduced to the welfare of the Lodge, nor ever will. This *Charge* has been always strictly enjoined and observed; but especially ever since the Reformation in Britain, or the dissent and secession of these nations from the communion of Rome.

3.—*Behavior when Brethren meet without Strangers, but not in a Lodge formed.*

You are to salute one another in a courteous manner, as you will be instructed, calling each other BROTHER, freely giving mutual instruction as shall be thought expedient, without being overseen or overheard, and without encroaching upon each other, or derogating from that respect which is due to any Brother, were he not a Mason: for though all Masons are as Brethren upon the same Level, yet Masonry takes no honor from a man that he had before; nay, rather it adds to his honor, especially if he has deserved well of the

Brotherhood, who must give honor to whom it is due, and avoid ill manners.

4.—*Behavior in Presence of Strangers not Masons.*

You shall be cautious in your words and carriage, that the most penetrating stranger shall not be able to discover or find out what is not proper to be intimated; and sometimes you shall divert a discourse, and manage it prudently for the honor of the Worshipful Fraternity.

5.—*Behavior at Home and in your Neighborhood.*

You are to act as becomes a moral and wise man, particularly not to let your family, friends and neighbors know the concerns of the Lodge, etc., but wisely to consult your own honor, and that of the Ancient Brotherhood, for reasons not to be mentioned here. You must also consult your health, by not continuing together too late, or too long from home, after lodge hours are past; and by avoiding of gluttony or drunkenness, that your families be not neglected or injured, nor you disabled from working.

6.—*Behavior towards a Strange Brother.*

You are cautiously to examine him, in such a method as prudence shall direct you, that you may not be imposed upon by an ignorant false pretender, whom you are to reject with contempt and derision, and beware of giving him any hints of knowledge.

But if you discover him to be a true and genuine Brother, you are to respect him accordingly; and if he is in want, you must relieve him, if you can, or else direct him how he may be relieved: You must employ him some days, or else recon-

mend him to be employed. But you are not charged to do beyond your ability, only to prefer a poor Brother, that is a good man and true, before any other poor people in the same circumstances

Finally, All these CHARGES you are to observe, and also those that shall be communicated to you in another way; cultivating Brotherly Love, the foundation and cape-stone, the cement and glory of this ancient Fraternity; avoiding all wrangling and quarreling, all slander and backbiting, nor permitting others to slander any honest Brother, but defending his character, and doing him all good offices, as far as is consistent with your honor and safety, and no farther. And if any of them do you injury, you must apply to your own or his Lodge, and from thence you may appeal to the Grand Lodge at the quarterly communication, and from thence to the Annual Grand Lodge, as has been the ancient laudable conduct of our forefathers in every nation; never taking a legal course, but when the case cannot be otherwise decided, and patiently listening to the honest and friendly advice of Master and Fellows, when they would prevent your going to law with strangers, or would excite you to put a speedy period to all lawsuits, that so you may mind the affair of Masonry with the more alacrity and success; but with respect to Brothers or Fellows at law, the Master and Brethren should kindly offer their mediation, which ought to be thankfully submitted to by the contending Brethren; and if that submission is impracticable, they must, however, carry on their process, or lawsuit, without wrath and rancor, (not in

the common way,) saying or doing nothing which may hinder Brotherly Love, and good offices to be renewed and continued; that all may see the benign influence of Masonry, as all true Masons have done from the beginning of the world, and will do to the end of time. AMEN. *So mote it be.*

GENERAL REGULATIONS,

COMPILED first by Mr. GEORGE PAYNE, *Anno* 1720, when he was Grand Master, and approved by the Grand Lodge on St. JOHN Baptist's Day, *Anno* 1721, at Stationer's Hall, London; when the most noble Prince JOHN, *Duke of Montagu*, was unanimously chosen our Grand Master for the year ensuing; who chose JOHN BEAL, M. D., his Deputy Grand Master; and Mr. JOSIAH VILLENEAU and Mr. THOMAS MORRIS, JUN., were chosen by the Lodge Grand Wardens. And now, by the command of our said Right Worshipful Grand Master MONTAGU, the *Author* of this book has compared them with, and reduced them to the ancient *Records* and immemorial *Usages* of the Fraternity, and digested them into this new method, with several proper Explications, for the use of the Lodges in and about London and Westminster.

I. THE Grand Master or his Deputy hath authority and right not only to be present in any true Lodge, but also to preside wherever he is, with the Master of the Lodge on his left hand, and to order his Grand Wardens to attend him, who are not to act in particular Lodges as Wardens, but in his presence, and at his command; because there the Grand Master may command the Wardens of that Lodge, or any

other Brethren he pleaseth, to attend and act as his Wardens *pro tempore*.

II. The Master of a particular Lodge has the right and authority of congregating the members of his Lodge into a Chapter at pleasure, upon any emergency or occurrence, as well as to appoint the time and place of their usual forming; and in case of sickness, death, or necessary absence of the Master, the Senior Warden shall act as Master *pro tempore*, if no Brother is present who has been Master of that Lodge before; for in that case the absent Master's authority reverts to the last Master then present; though he cannot act until the said Senior Warden has once congregated the Lodge, or, in his absence, the Junior Warden.

III. The Master of each particular Lodge, or one of the Wardens, or some other Brother by his order, shall keep a book containing their By-laws, the names of their members, with a list of all the Lodges in town, and the usual times and places of their forming, and all their transactions that are proper to be written.

IV. No Lodge shall make more than FIVE new Brethren at one time, nor any man under the age of twenty-five, who must be also his own master, unless by a Dispensation from the Grand Master or his Deputy.

V. No man can be made or admitted a member of a particular Lodge, without previous notice one month before given to the said Lodge, in order to make due inquiry into the reputation and capacity of the candidate; unless by the Dispensation aforesaid.

VI. But no man can be entered a Brother in any particu-

lar Lodge, or admitted to be a member thereof, without the unanimous consent of all the members of that Lodge then present when the candidate is proposed, and their consent is formally asked by the Master; and they are to signify their consent or dissent in their own prudent way, either virtually or in form, but with unanimity: Nor is this inherent privilege subject to a Dispensation; because the members of a particular Lodge are the best judges of it; and if a fractious member should be imposed on them, it might spoil their harmony or hinder their freedom; or even break or disperse the Lodge, which ought to be avoided by all good and true Brethren.

VII. Every new Brother at his making is decently to clothe the Lodge—that is, all the Brethren present—and to deposit something for the relief of indigent and decayed Brethren, as the candidate shall think fit to bestow, over and above the small allowance stated by the By-laws of that particular Lodge; which charity shall be lodged with the Master or Wardens, or the cashier, if the members think fit to choose one. And the candidate shall also solemnly promise to submit to the Constitutions, the Charges and Regulations, and to such other good Usages as shall be intimated to them in time and place convenient.

VIII. No set or number of Brethren shall withdraw or separate themselves from the Lodge in which they were made Brethren, or were afterwards admitted members, unless the Lodge becomes too numerous; nor even then without a Dispensation from the Grand Master or his Deputy; and when they are thus separated, they must either immediately

join themselves to such other Lodge as they shall like best, with the unanimous consent of that other Lodge to which they go, (as above regulated,) or else they must obtain the Grand Master's Warrant to join in forming a new lodge.

If any set or number of Masons shall take upon themselves to form a Lodge without the Grand Master's Warrant, the regular lodges are not to countenance them, nor own them as fair Brethren and duly formed, nor approve of their acts and deeds; but must treat them as rebels, until they humble themselves, as the Grand Master shall in his prudence direct, and until he approve of them by his Warrant, which must be signified to the other lodges, as the custom is when a new lodge is to be registered in the *List of Lodges*.

IX. But if any Brother so far misbehave himself as to render his Lodge uneasy, he shall be twice duly admonished by the Master or Wardens in a formed lodge; and if he will not refrain his imprudence, and obediently submit to the advice of the Brethren, and reform what gives them offence, he shall be dealt with according to the By-laws of that particular Lodge, or else in such a manner as the Quarterly Communication shall in their great prudence think fit; for which a new Regulation may be afterwards made.

X. The majority of every particular lodge, when congregated, shall have the privilege of giving instructions to their Master and Wardens, before the assembling of the Grand Chapter or Lodge, at the three Quarterly Communications hereafter mentioned, and of the Annual Grand Lodge too; because their Masters and Wardens are their representatives, and are supposed to speak their mind.

XI. All particular lodges are to observe the same Usages as much as possible; in order to which, and for cultivating a good understanding among Freemasons, some members out of every lodge shall be deputed to visit the other lodges as often as shall be thought convenient.

XII. The GRAND LODGE consists of, and is formed by the Masters and Wardens of all the regular particular lodges upon record, with the Grand Master at their head, and his Deputy on his left hand, and the Grand Wardens in their proper places, and must have a Quarterly Communication about Michaelmas, Christmas, and Lady-day, in some convenient place, as the Grand Master shall appoint, where no Brother shall be present who is not at that time a member thereof, without a Dispensation; and while he stays, he shall not be allowed to vote, nor even give his opinion, without leave of the Grand Lodge, asked and given, or unless it be duly asked by the said lodge.

All matters are to be determined in the Grand Lodge by a majority of votes, each member having one vote, and the Grand Master having two votes, unless the said lodge leave any particular thing to the determination of the Grand Master for the sake of expedition.

XIII. At the said Quarterly Communication, all matters that concern the Fraternity in general, or particular Lodges, or single Brethren, are quietly, sedately, and maturely to be discoursed of and transacted: Apprentices must be admitted Masters and Fellow Craft only here, unless by a Dispensation. Here also all differences that cannot be made up and accommodated privately, nor by a particular Lodge, are to be seri-

ously considered and decided: And if any Brother thinks himself aggrieved by the decision of this Board, he may appeal to the Annual Grand Lodge next ensuing, and leave his appeal in writing with the Grand Master, or his Deputy, or the Grand Wardens.

Here, also, the Master or the Wardens of each particular Lodge shall bring and produce a list of such members as have been made, or even admitted, in their particular lodges since the last communication of the Grand Lodge: and there shall be a book kept by the Grand Master or his Deputy, or rather by some brother whom the Grand Lodge shall appoint for Secretary, wherein shall be recorded *all the Lodges*, with their usual times and places of forming, and the names of all the members of each Lodge; and all the affairs of the Grand Lodge that are proper to be written.

They shall also consider of the most prudent and effectual methods of collecting and disposing of what money shall be given to or lodged with them in Charity, towards the relief only of any true Brother fallen into poverty or decay, but of none else: But every particular Lodge shall dispose of their own Charity for poor Brethren, according to their own By-laws, until it be agreed by all the lodges (in a new Regulation) to carry in the Charity collected by them to the Grand Lodge, at the Quarterly or Annual Communication, in order to make a common stock of it, for the more handsome relief of poor Brethren.

They shall also appoint a Treasurer, a Brother of good worldly substance, who shall be a member of the Grand Lodge by virtue of his office, and shall be always present,

and have power to move to the Grand Lodge anything, especially what concerns his office. To him shall be committed all money raised for Charity, or for any other use of the Grand Lodge, which he shall write down in a book, with the respective ends and uses for which the several sums are intended; and shall expend and disburse the same by such a certain order signed, as the Grand Lodge shall afterwards agree to in a new Regulation: But he shall not vote in choosing a Grand Master or Wardens, though in every other transaction. As in like manner the Secretary shall be a member of the Grand Lodge by virtue of his office, and vote in everything, except in choosing a Grand Master or Wardens.

The Treasurer and Secretary shall have each a clerk, who must be a Brother and Fellow Craft, but never must be a member of the Grand Lodge, nor speak without being allowed or desired.

The Grand Master, or his Deputy, shall always command the Treasurer and Secretary, with their clerks and books, in order to see how matters go on, and to know what is expedient to be done upon any emergent occasion.

Another Brother (who must be a Fellow Craft) should be appointed to look after the door of the Grand Lodge, but shall be no member of it.

But these offices may be farther explained by a new Regulation, when the necessity and expediency of them may more appear than at present to the Fraternity.

XIV. If at any Grand Lodge, stated or occasional, quarterly or annual, the Grand Master and his Deputy should be both absent, then the present Master of a Lodge, that has

been the longest a Freemason, shall take the chair, and preside as Grand Master *pro tempore*, and shall be vested with all his power and honor for the time: provided there is no Brother present that has been Grand Master formerly, or Deputy Grand Master; for the last Grand Master present, or else the last Deputy present, should always of right take place in the absence of the present Grand Master and his Deputy.

XV. In the Grand Lodge none can act as Wardens but the Grand Wardens themselves, if present; and, if absent, the Grand Master, or the person who presides in his place, shall order private Wardens to act as Grand Wardens *pro tempore*, whose places are to be supplied by two Fellow Craft of the same Lodge, called forth to act, or sent thither by the particular Master thereof; or if by him omitted, then they shall be called by the Grand Master, that so the Grand Lodge may be always complete.

XVI. The Grand Wardens, or any others, are first to advise with the Deputy about the affairs of the Lodge or of the Brethren, and not to apply to the Grand Master without the knowledge of the Deputy, unless he refuse his concurrence in any certain necessary affair; in which case, or in case of any difference between the Deputy and the Grand Wardens, or other Brethren, both parties are to go by concert to the Grand Master, who can easily decide the controversy and make up the difference by virtue of his great authority.

The Grand Master should receive no intimation of business concerning Masonry but from his Deputy first, except in such certain cases as his Worship can well judge of; for if the

application to the Grand Master be irregular, he can easily order the Grand Wardens, or any other Brethren thus applying, to wait upon his Deputy, who is to prepare the business speedily, and to lay it orderly before his Worship.

XVII. No Grand Master, Deputy Grand Master, Grand Wardens, Treasurer, Secretary, or whoever acts for them, or in their stead *pro tempore*, can at the same time be the Master or Warden of a particular Lodge; but as soon as any of them has honorably discharged his Grand Office, he returns to that post or station in his particular Lodge, from which he was called to officiate above.

XVIII. If the Deputy Grand Master be sick, or necessarily absent, the Grand Master may choose any Fellow Craft he please to be his Deputy *pro tempore*: But he that is chosen Deputy at the Grand Lodge, and the Grand Wardens too, cannot be discharged without the cause fairly appear to the majority of the Grand Lodge; and the Grand Master, if he is uneasy, may call a Grand Lodge on purpose to lay the cause before them, and to have their advice and concurrence: in which case, the majority of the Grand Lodge, if they cannot reconcile the Master and his Deputy or his Wardens, are to concur in allowing the Master to discharge his said Deputy or his said Wardens, and to choose another Deputy immediately; and the said Grand Lodge shall choose other Wardens in that case, that harmony and peace may be preserved.

XIX. If the Grand Master should abuse his power, and render himself unworthy of the obedience and subjection of the Lodges, he shall be treated in a way and manner to be agreed upon in a new Regulation; because hitherto the An

cient Fraternity have had no occasion for it, their former Grand Masters having all behaved themselves worthy of that honorable office.

XX. The Grand Master, with his Deputy and Wardens, shall (at least once) go round and visit all the Lodges about town during his mastership.

XXI. If the Grand Master die during his mastership, or by sickness, or by being beyond sea, or any other way should be rendered incapable of discharging his office, the Deputy, or, in his absence, the Senior Grand Warden, or, in his absence, the Junior, or, in his absence, any three present Masters of Lodges, shall join to congregate the Grand Lodge immediately, to advise together upon that emergency, and to send two of their number to invite the LAST Grand Master to resume his office, which now in course reverts to him; or, if he refuse, then the NEXT LAST, and so backward. But if no former Grand Master can be found, then the *Deputy* shall act as *Principal* until another is chosen; or, if there be no Deputy, then the oldest Master.

XXII. The BRETHREN of all the Lodges in and about London and Westminster shall meet at an *Annual Communication* and *Feast*, in some convenient place, on *St. John Baptist's Day*, or else on *St. John Evangelist's Day*, as the Grand Lodge shall think fit by a *new Regulation*, having of late years met on *St. John Baptist's Day*: Provided,

The *majority* of the Masters and Wardens, with the Grand Master, his Deputy and Wardens, agree at their Quarterly Communications, three months before, that there shall be a *Feast* and a *General Communication* of all the Brethren: For

if either the Grand Master, or the majority of the particular Masters, are against it, it must be dropped for that time.

But whether there shall be a Feast for all the Brethren or not, yet the GRAND LODGE must meet in some convenient place *annually* on St. John's Day; or, if it be Sunday, then on the next day, in order to choose every year a *new* Grand Master, Deputy and Wardens.

XXIII. If it be thought expedient, and the Grand Master, with the majority of the Masters and Wardens, agree to hold a Grand Feast, according to the ancient laudable custom of Masons, then the GRAND WARDENS shall have the care of preparing the tickets, sealed with the Grand Master's seal, of disposing of the tickets, of receiving the money for the tickets, of buying the materials of the Feast, of finding out a proper and convenient place to feast in, and of every other thing that concerns the entertainment.

But, that the work may not be too burdensome to the two Grand Wardens, and that all matters may be expeditiously and safely managed, the Grand Master or his Deputy shall have power to nominate and appoint a certain number of Stewards, as his Worship shall think fit, to act in concert with the two Grand Wardens; all things relating to the Feast being decided amongst them by a majority of voices, except the Grand Master or his Deputy interpose by a particular direction or appointment.

XXIV. The Wardens and STEWARDS shall in due time wait upon the Grand Master or his Deputy for directions and orders about the premises; but if his Worship and his Deputy are sick, or necessarily absent, they shall call together

the Masters and Wardens of Lodges to meet on purpose for their advice and orders; or else they may take the matter wholly upon themselves, and do the best they can.

The Grand Wardens and the Stewards are to account for all the money they receive, or expend, to the Grand Lodge, after dinner, or when the Grand Lodge shall think fit to receive their accounts.

If the Grand Master pleases, he may in due time summon all the Masters and Wardens of Lodges, to consult with them about ordering the Grand Feast, and about any emergency or accidental thing relating thereunto, that may require advice, or else to take it upon himself altogether.

XXV. The Masters of Lodges shall each appoint one experienced and discreet Fellow Craft of his Lodge, to compose a committee, consisting of one from every Lodge, who shall meet to receive, in a convenient apartment, every person that brings a ticket, and shall have power to discourse him, if they think fit, in order to admit him or debar him, as they shall see cause: *Provided* they send no man away before they have acquainted all the Brethren within doors with the reasons thereof, to avoid mistakes; that so no true Brother may be debarred, nor a false brother or mere pretender admitted. This committee must meet very early on St. John's Day at the place, even before any persons come with tickets.

XXVI. The Grand Master shall appoint two or more TRUSTY BRETHREN to be porters or door-keepers, who are also to be early at the place, for some good reasons, and who are to be at the command of the committee.

XXVII. The Grand Wardens or the Stewards shall ap-

point beforehand such a number of brethren to serve at table as they think fit and proper for that work; and they may advise with the Masters and Wardens of Lodges about the most proper persons, if they please, or may take in such by their recommendation; for none are to serve that day but Free and Accepted Masons, that the communication may be free and harmonious.

XXVIII. All the members of the Grand Lodge must be at the place long before dinner, with the Grand Master or his Deputy at their head, who shall retire, and form themselves. And this is done in order—

1. To receive any appeals, duly lodged, as above regulated, that the appellant may be heard, and the affair may be amicably decided before dinner, if possible; but if it cannot, it must be delayed till after the new Grand Master is elected; and if it cannot be decided after dinner, it may be delayed, and referred to a particular committee, that shall quietly adjust it, and make report to the next Quarterly Communication, that Brotherly Love may be preserved.

2. To prevent any difference or disgust which may be feared to arise that day, that no interruption may be given to the harmony and pleasure of the Grand Feast.

3. To consult about whatever concerns the decency and decorum of the Grand Assembly, and to prevent all indecency and ill manners, the assembly being promiscuous.

4. To receive and consider of any good motion, or any momentous and important affair, that shall be brought from the particular lodges by their representatives, their several Masters and Wardens.

XXIX. After these things are discussed, the Grand Master and his Deputy, the Grand Wardens or the Stewards, the Secretary, the Treasurer, the clerks, and every other person shall withdraw, and leave the Masters and Wardens of the particular lodges alone, in order to consult amicably about electing a new Grand Master, or continuing the present, if they have not done it the day before; and if they are unanimous for continuing the present Grand Master, his Worship shall be called in, and humbly desired to do the Fraternity the honor of ruling them for the year ensuing: And after dinner it will be known whether he accepts of it or not: for it should not be discovered but by the election itself.

XXX. Then the Masters and Wardens, and all the Brethren, may converse promiscuously, or as they please to sort together, until the dinner is coming in, when every Brother takes his seat at table.

XXXI. Some time after dinner, the Grand Lodge is formed, not in the retirement, but in the presence of all the Brethren, who yet are not members of it, and must not therefore speak until they are desired and allowed.

XXXII. If the Grand Master of last year has consented with the Master and Wardens in private, before dinner, to continue for the year ensuing, then one of the Grand Lodge, deputed for that purpose, shall represent to all the Brethren his Worship's good government, etc. And, turning to him, shall, in the name of the Grand Lodge, humbly request him to do the Fraternity the great honor, (if nobly born, if not,) the great kindness of continuing to be their Grand Master for the year ensuing. And his Worship declaring his consent by

a bow or a speech, as he pleases, the said deputed member of the Grand Lodge shall proclaim him Grand Master, and all the members of the Lodge shall salute him in due form. And all the Brethren shall for a few minutes have leave to declare their satisfaction, pleasure, and congratulation.

XXXIII. But if either the Master and Wardens have not in private, this day before dinner, nor the day before, desired the *last* Grand Master to continue in the mastership another year; or if he, when desired, has not consented; then

The *last* Grand Master shall nominate his successor for the year ensuing, who, if unanimously approved by the Grand Lodge, and, if there present, shall be proclaimed, saluted, and congratulated the new Grand Master, as above hinted, and immediately installed by the last Grand Master, according to Usage.

XXXIV. But if that nomination is not unanimously approved, the new Grand Master shall be chosen immediately by ballot, every Master and Warden writing his man's name, and the last Grand Master writing his man's name too; and the man whose name the last Grand Master shall first take out, casually or by chance, shall be Grand Master for the year ensuing; and, if present, he shall be proclaimed, saluted, and congratulated, as above hinted, and forthwith installed by the last Grand Master, according to Usage.

XXXV. The last Grand Master thus continued, or the new Grand Master thus installed, shall next nominate and appoint his Deputy Grand Master, either the last or a new one, who shall be also declared, saluted, and congratulated, as above hinted.

The Grand Master shall also nominate the new Grand Wardens, and, if unanimously approved by the Grand Lodge, shall be declared, saluted, and congratulated, as above hinted; but if not, they shall be chosen by ballot, in the same way as the Grand Master: As the Wardens of private lodges are also to be chosen by ballot in each Lodge, if the members thereof do not agree to their Master's nomination.

XXXVI. But if the Brother whom the present Grand Master shall nominate for his successor, or whom the majority of the Grand Lodge shall happen to choose by ballot, is, by sickness or other necessary occasion, absent from the Grand Feast, he cannot be proclaimed the new Grand Master, unless the old Grand Master, or some of the Masters and Wardens of the Grand Lodge can vouch, upon the honor of a brother, that the said person, so nominated or chosen, will readily accept of the said office; in which case the old Grand Master shall act as proxy, and shall nominate the Deputy and Wardens in his name, and in his name also receive the usual honors, homage, and congratulation.

XXXVII. Then the Grand Master shall allow any Brother, Fellow Craft, or Apprentice to speak, directing his discourse to his Worship; or to make any motion for the good of the Fraternity, which shall be either immediately considered and finished, or else referred to the consideration of the Grand Lodge at their next communication, stated or occasional. When that is over,

XXXVIII. The Grand Master or his Deputy, or some Brother appointed by him, shall harangue all the Brethren, and give them good advice: And, lastly, after some other

transactions, that cannot be written in any language, the Brethren may go away or stay longer, as they please.

XXXIX. Every Annual Grand Lodge has an inherent power and authority to make new Regulations, or to alter these, for the real benefit of this ancient Fraternity: Provided always that the old Landmarks be carefully preserved, and that such alterations and new Regulations be proposed and agreed to at the third quarterly communication preceding the Annual Grand Feast; and that they be offered also to the perusal of all the Brethren before dinner, in writing, even of the youngest Apprentice; the approbation and consent of the majority of all the Brethren present being absolutely necessary to make the same binding and obligatory; which must, after dinner, and after the new Grand Master is installed, be solemnly desired; as it was desired and obtained for these Regulations, when proposed by the Grand Lodge, to about 150 Brethren, on St. John Baptist's Day, 1721.





MASONIC CALENDAR.

FOR the convenience of those who are not entirely familiar with the various Masonic dates, the following explanation is given :

Freemasons, in affixing dates to their official documents, seldom make use of the common calendar, but have one peculiar to the Order ; which, however, varies in the different rites.

Masons of the York and French rites date from the creation of the world, calling it "*Anno Lucis*," which they abbreviate "A. L.," signifying *in the year of light*. Thus, in Symbolic Masonry, the year 1900 is A. L. 5900. This is done not because we believe Freemasonry to be coeval with the creation, but with a purely *symbolic* reference to the light of Masonry.

Royal Arch Masons reckon from the year in which Zerubbabel began to build the second Temple, which was 530 years before Christ. Their style is, therefore, "A. I.," or "A. Inv.;" that is, *Anno Inventionis*, or, *in the year of the discovery*. Hence, in Royal Arch Masonry, the common year 1900 is A. I. 2430.

Royal and Select Masters reckon from the year in which King Solomon's Temple was completed. Their style would therefore be, *Anno Depositionis*, signifying the *year of the Deposit*; and the common year 1900 would, in their calendar, be A. Dep. 2900.

Knights Templar, being a Christian Order, generally use the common Christian era; although the particular date of the Order is 1118. By the style of the Order, therefore, they often reckon from that date, which is denominated *Anno Ordinis*, or *the year of the Order*. The present year, 1900, would thus be A. O. 782.

The several Masonic dates may be readily discovered by the following rules:

1. *To find the date of Symbolic Masonry.* Add 4000 to the common era. Thus $1900 + 4000 = 5900$.

2. *To find the date of the Scotch Rite.* Add 3760 to the common era. Thus $1900 + 3760 = 5660$. After September add one year more.

3. *To find the date of Royal Arch Masonry.* Add 530 to the common era. Thus $1900 + 530 = 2430$.

4. *To find the Royal and Select Masters' date.* Add 1000 to the common era. Thus $1900 + 1000 = 2900$.

5. *To find the date of the Knights Templar.* Subtract 1118 from the common era. Thus $1900 - 1118 = 782$.

The following table shows at a glance the date of the present year 1900 in all the branches of Masonry:

Year of our Lord, A. D. 1900—Common era.

Year of Light, A. L. 5900—Ancient Craft Masonry

Year of the World, A. M. 5660—Scotch Rite.

Year of the Discovery, A. I. 2430—Royal Arch.

Year of the Deposit, A. Dep. 2900—Royal and
Select Masters.

Year of the Order, A. O. 782—Knights Templar.

In Royal Arch documents both the date of Symbolic and Capitular Masonry is generally used ; *e. g.*, A. L. 5900, A. I. 2430.





APPENDIX OF GENERAL FORMS.

LODGE.

PETITION FOR DISPENSATION TO FORM A NEW LODGE.

To the M. W. Grand Master of Masons of the State
of

The undersigned petitioners, Ancient Free and Accepted Masons, having the prosperity of the fraternity at heart, and being willing to exert their best endeavors to promote and diffuse the genuine principles of Freemasonry; that for the convenience of their respective dwellings (otherwise stating the circumstances of the case), and for other good reasons, respectfully represent—

That they are desirous of forming a new lodge at, in the county of, State of, to be named Lodge. They therefore pray for letters of dispensation, to empower them to assemble as a lawful lodge, to discharge the duties of Masonry in the several degrees of Entered Apprentice, Fellow Craft, and Master Mason, in a regular and constitutional manner,

according to the ancient forms of the fraternity, and the laws and regulations of the Grand Lodge.

They have nominated and do recommend Brother A. B. to be the first Worshipful Master, C. D. to be the first Senior Warden, and E. F. to be the first Junior Warden, of said lodge.

If the prayer of this petition shall be granted, they promise a strict conformity to all the constitutional laws, rules, and regulations of the fraternity and of the Grand Lodge.

(This petition must be signed by at least seven Master Masons, and recommended by a Lodge or Lodges nearest the place where the new Lodge is to be holden, and the certificate of the Grand Lecturer, or some other prominent Master Mason, should accompany the petition; stating the fact that the officers are competent to discharge the duties of their office respectively.)

DISPENSATION FOR NEW LODGE.

Grand Lodge of Free and Accepted Masons of the State of

To all to whom these presents may come, Greeting :

Whereas, a petition has been presented to me, by sundry brethren residing within this jurisdiction, to wit :
....., praying, on account of the convenience of their respective dwellings, and for other good reasons, for a dispensation to empower them to assemble as a legal lodge, to discharge the duties of Masonry in the several degrees of Entered Apprentice, Fellow Craft, and Master Mason, in a regular and constitutional manner, according to the ancient forms of the fraternity, and the constitution and regulations of this Grand Lodge, and

promising a strict conformity to all constitutional laws, rules and regulations of the same.

And whereas, the said petitioners have been recommended to me as Master Masons in good standing by the Worshipful Master, Wardens, and Brethren of Lodge, No., under our jurisdiction: Therefore I,, Grand Master of the Grand Lodge of Free and Accepted Masons of the State of, by virtue of the authority in me vested, do hereby grant this my dispensation, authorizing and empowering our trusty and well-beloved brethren aforesaid, to form and open a new lodge, in the of, in the county of, and State of, to be called Lodge, and therein to admit and make Entered Apprentices, Fellow Crafts, and Master Masons, in accordance with the ancient usages and customs of the fraternity, obeying in all things the constitution, laws, and edicts of this Grand Lodge, and not otherwise.

And I do hereby appoint our worthy brother A. B. to be the first Master, brother C. D. to be the first Senior Warden, and brother E. F. to be the first Junior Warden, of said new lodge.

And it shall be their duty, and they are hereby required, to return this dispensation, with a correct transcript of all proceedings had under the authority of the same, together with an attested copy of their by-laws, to our Grand Lodge, at its next annual communication, for examination, and such further action as shall then be deemed wise and proper.

This dispensation to continue in full force till the annual communication aforesaid, unless sooner revoked by me.



In testimony whereof, I have hereunto set my hand, and affixed the seal of the Grand Lodge, at, this day of, A. D. 19 . ., A. L. 59 . .

A T M, Grand Master.

Attest:

J F, Grand Secretary.

**PROXY FROM THE GRAND MASTER TO CONSTITUTE AND
CONSECRATE A NEW LODGE, AND INSTALL
OFFICERS.**

Office of the Grand Master of Masons }
of the State of, }
, 19 . . }

To all whom it may concern—Greeting:

Know ye, that reposing full confidence in the skill and Masonic ability of our Worshipful Brother, I, Grand Master of the M. W. Grand Lodge of, do by these presents constitute and appoint him my Proxy, for me and in my name, to constitute and consecrate Lodge, No. . ., and to install the officers thereof in due and ancient form, he making due return to me of his doings in the premises.

Given under my hand and private seal, at, the day and year first above written.

[Private Seal.]

A T M, Grand Master.

PETITION FOR DISPENSATION TO CONFER DEGREES ON,
OR BALLOT FOR, A CANDIDATE, IN LESS THAN
THE REGULAR TIME.

Hall of..... Lodge, No. ..., }
....., 19... }

To the M. W. Grand Master of Masons of the State
of

By a vote of this lodge, I am instructed to ask you for a dispensation to pass the ballot (or confer the degrees, as the case may be) for M. A. B., who has petitioned this lodge for initiation (or is anxious to receive the degrees of F. C. and M. M., as the case may be), at a special meeting, to be called for that purpose.

M. A. B. is ... years of age ; his residence is ; his occupation is The case is one of emergency, for the reasons following : [Here state at length the reasons why a dispensation should be granted in the case, and enclose the fee.]

O..... P....., Worshipful Master.

[Seal of Lodge.]

PETITION FOR INITIATION.

To the Worshipful Master, Wardens, and Brethren of
..... Lodge, No. ..., of F. and A. Masons:

The petition of the subscriber respectfully sheweth, that having long entertained a favorable opinion of your ancient institution, he is desirous of being admitted a member thereof, if found worthy.

His place of residence is, his age . . . years, his occupation

He has applied for initiation into Masonry heretofore. (If application has ever before been made to any lodge, state when, where, the number of times, to what lodge or lodges, and whether the applicant was elected or rejected.)

A. B.

Recommended by }
 G. H. }
 L. N. }

APPLICATION FOR MEMBERSHIP.

To the Worshipful Master, Wardens, and Brethren of Lodge, No. . . . , of F. and A. Masons :

The petition of the subscriber respectfully sheweth that he is a Master Mason of good standing—and residing within the jurisdiction of your lodge, is desirous of being admitted a member thereof, if found worthy.

Accompanying this petition is a dimit from the lodge of which he was last a member, and if received, he promises a strict compliance with the by-laws of the lodge, and the general regulations and usages of Ancient Freemasonry.

E. F.

Recommended by }
 A. B. }
 C. D. }

DIMIT.

Hall of Lodge, No. . . . , of F. and A. Masons.

Held at , by authority of the Grand Lodge of

I hereby certify, that at a meeting of Lodge, No. . . . , held on the . . . day of , A. L. 5 . . . , Brother , by consent of said lodge, withdrew his membership from the same; he being at the time a Worthy Master Mason in good standing, and having paid all dues assessed against him.

By order of said lodge,

[L. S.]

. , Secretary.

GRAND LODGE CERTIFICATE.

Grand Lodge of Free and Accepted Masons of the State of

I hereby certify, that Lodge, No. . . . , is regularly constituted and held under the authority and jurisdiction of this Grand Lodge, and that A. B. is Worshipful Master, C. D. is Senior Warden, and E. F. is Junior Warden of said lodge.

In testimony whereof, I have hereunto set my hand and affixed the Seal of the Grand Lodge, at , this day of , A. L. 59 . . . , A. D. 19 . . .

[Seal of G. L.]

J. F. , Grand Sec'y.

We, the Master and Wardens of Lodge, No. . . . , held under the authority and jurisdiction of the Grand Lodge of F. and A. Masons of the State of , do

hereby certify that our worthy and well-beloved Brother
, (who has written his name below,) is a Master
 Mason, in good standing in our lodge, and he is hereby
 recommended to the favor and protection of the Craft
 throughout the Globe.

Given under our hands and seal of our Lodge, at ,
 this day of , A. L. 59 . . , A. D. 19 . . .

	A B, W. M.
[Seal of the Lodge.]	C D, S. W.
	E F, J. W.

Attest: G H, Secretary.

Signature of

(Application for the above certificate should be made
 to the Grand Secretary, either verbally or by letter, and
 should be accompanied by the constitutional fee.)

REPRESENTATIVE'S CERTIFICATE.

. Lodge, No. . . .

This is to certify, that at a communication of
 Lodge, No. . . . , held on the day of , A. D. 19 . . .
 A. L. 59 . . , our Worthy Brother was deputed to
 represent the Worshipful Master of this lodge at the
 next session of the Grand Lodge of F. and A. Masons
 of the State of

In testimony whereof, I have hereunto set my hand
 and affixed the Seal of Lodge, at , this day
 of , A. D. 19 . . , A. L. 59 . . .

., W. M.

Attest:, Secretary.

CHAPTER.

PETITION FOR DISPENSATION FOR NEW CHAPTER.

To the Most Excellent Grand High-Priest of the Grand Chapter of Royal Arch Masons of the State of

We, the undersigned, being Royal Arch Masons in good standing, and having the prosperity of the Royal Craft at heart, are anxious to exert our best endeavors to promote and diffuse the genuine principles of Royal Arch Masonry, and for the convenience of our respective dwellings, and other good reasons, as thereunto moving, we are desirous of forming a new Chapter at...., in the of, to be named Chapter.

We, therefore, pray for a dispensation empowering us to open and hold a regular Chapter at aforesaid, and therein to discharge the duties and enjoy the privileges of Royal Arch Masonry, according to the landmarks and usages of the order, and the constitution and laws of the Grand Chapter.

And we do hereby nominate and recommend Companion A. B. to be our first Most Excellent High-Priest; Companion C. D. to be our first King; and Companion E. F. to be our first Scribe.

And should the prayer of this petition be granted, we do hereby promise a strict conformity to the constitution, laws, and edicts of the Grand Chapter of the State of, *and to the constitution of the General Grand Chapter of the United States*, so far as they may come to our knowledge.

Dated, A. L. 59..., A. I. 24...

(To be signed by not less than *nine* Regular Royal Arch Masons, and to be accompanied by the dimits of the petitioners, the constitutional fee, and the recommendation of the nearest Chapter. The words in italics to be omitted in those States whose Grand Chapters are not under the jurisdiction of the General Grand Chapter of the U. S.)

RECOMMENDATION FOR DISPENSATION.

To the Most Excellent Grand High-Priest of the Grand Chapter of Royal Arch Masons of the State of

At a regular convocation of Chapter, No..., held at ..., on the ... day of ..., A. L. 59..., A. I. 24...

The petition of several companions, praying for a dispensation to open a new Chapter at ..., in the ... of..., was duly laid before this Chapter, when it was, after consideration of the same,

Resolved, That this Chapter, being fully satisfied that the petitioners are Royal Arch Masons in good standing, and being prepared to vouch for their moral character and Masonic abilities, does therefore recommend that the dispensation prayed for be granted to them.

A true copy from the records.

E..... F....., Secretary.

Upon the receipt of the foregoing petition and recommendation, duly executed, the Grand or Deputy Grand High-Priest is authorized to issue his dispensation, under his private seal, for opening and holding the new Chapter; which dispensation should be in the following or similar form :

DISPENSATION FOR NEW CHAPTER.

To all whom it may concern :

Know ye, that I,, Most Excellent Grand High-Priest of the Grand Chapter of the State of. . . . , have received a petition from a constitutional number of companions, who have been properly vouched for and recommended ; which petition sets forth that they are desirous of forming a new Chapter at , in the of ; and whereas there appears to me to be good reason for granting the prayer of said petition :

Now, therefore, by virtue of the power in me vested by the Constitutions of the Order, I do hereby grant this my Dispensation, authorizing and empowering Companion A. B. to act as Most Excellent High-Priest, Companion C. D. to act as King, and Companion E. F. to act as Scribe, of a Chapter of Royal Arch Masons to be holden at. . . . , in the. . . . of , to be named and designated as Chapter.

And I do hereby further authorize and empower the said Companions, with the necessary assistance, to open and hold Lodges of Mark Masters, Past Masters, and Most Excellent Masters, and a Chapter of Royal Arch Masons, and therein to advance, induct, receive, and acknowledge candidates in the several preparatory degrees, and to exalt the same to the Holy Royal Arch, according to the ancient landmarks and usages of the Order and the Constitutions of the Grand Chapter of the State of. . . . , *and of the General Grand Chapter of the United States*, but not otherwise.

And this dispensation shall remain of force until the Grand Chapter aforesaid shall grant a warrant of Con-

stitution for the said Chapter, or until it shall be revoked by me, or by the authority of the Grand Chapter.

Given under my hand and private seal, at, this day of, A. L. 59 A. I. 24 . . .

., Grand High-Priest.

The words in italics are to be omitted in States whose Grand Chapters are not under the jurisdiction of the General Grand Chapter of the U. S.

At the next regular convocation of the Grand Chapter after the granting of this dispensation, the Grand Chapter will, unless good reasons appear to the contrary, grant a Warrant of Constitution, which should be in the following form :

WARRANT OF CONSTITUTION.

To whom it may concern :

The Most Excellent Grand Royal Arch Chapter of the State of, assembled in Grand Convocation in the city of, State aforesaid,

Send Greeting :

Know ye, that we, the Grand Royal Arch Chapter of the State of, do hereby authorize and empower our trusty and well-beloved Companions, A. B., High-Priest; C. D., King; and E. F., Scribe, to open and hold a Royal Arch Chapter at, in the of, to be known and designated on our register as Chapter, No. . . ., and there n to exalt candidates to the august

sublime degree of the Holy Royal Arch, according to the ancient landmarks and usages of Royal Arch Masonry, and not otherwise.

And we do further authorize and empower our said trusty and well-beloved Companions, A. B., C. D., and E. F., to open and hold, under the jurisdiction of the said Chapter, Lodges, and confer the degrees of Mark Master, Past Master, and Most Excellent Master, and therein to advance, induct, receive, and acknowledge candidates, according to the aforesaid landmarks and usages of the craft, and not otherwise.

And we do further authorize and empower our said trusty and well-beloved Companions, A. B., C. D., and E. F., to install their successors, duly elected and chosen, to invest them with all the powers and dignities to the offices respectively belonging, and to deliver to them this warrant of Constitution; and such successors, when duly installed, shall in like manner install their successors from time to time, and proceed in the premises as above directed—such installation to be on or before the festival of St. John the Evangelist.

Provided always, that the above-named Companions, and their successors, do pay, and cause to be paid, due respect and obedience to the Most Excellent Grand Royal Arch Chapter of the State of . . . aforesaid, and to the edicts, rules, and regulations thereof; otherwise, this warrant of constitution to be of no force nor virtue.

Given in Grand Convocation, under the hands of our Grand Officers, and the seal of our Grand Chapter,

at, this day of, in the year of light
59.., and of the discovery, 24...

G..... H....., L..... M.....,
Grand High-Priest. Grand King.

J..... K....., N..... O.....,
Deputy Grand High-Priest. Grand Scribe.

Seal of
the
Grand Chapter.

Attest:

R..... S....., Grand Secretary

CERTIFICATE OF PROXY, TO CONSTITUTE A NEW
CHAPTER, AND INSTALL ITS OFFICERS.

To all whom it may concern :

But more especially to Companion A. B., Most Excellent High-Priest elect; C. D., King elect; E. F., Scribe elect, and the other Companions who have been empowered, by a Warrant of Constitution issued under the authority of the Most Excellent Grand Chapter of, to assemble as a regular Chapter at, in the of, and to be known and designated as Chapter, No.... :

Know ye, that reposing all trust and confidence in the skill, prudence, and integrity of our Most Excellent Companion, I have thought proper, being myself unable to attend, to nominate and appoint the said Most Excellent Companion, to constitute, in form, the Companions aforesaid into a regular Chapter, and to install the officers elect, according to the ancient usages of the craft; and for so doing this shall be his sufficient warrant.

Given under my hand and seal, at....., this
 day of, A. L. 59..., A. I. 24...

....., Grand High-Priest.
 Seal. :

PETITION FOR CAPITULAR DEGREES.

To the Most Excellent High-Priest, King, Scribe,
 and Companions of Chapter, No..., of Royal
 Arch Masons:

The undersigned, a Master Mason, and a member of
 Lodge, No..., under the jurisdiction of the
 Grand Lodge of, having the good of the craft
 at heart, and being desirous of obtaining further light
 in Masonry, fraternally offers himself as a candidate
 for the degrees conferred in your chapter. Should this
 his petition be granted, he promises a cheerful com-
 pliance with all the forms and usages of the fraternity.
 His residence is; and his occupation is.....

Dated, A. L. 59...

Recommended by

L.....	M.....,	}	B.....	C.....
N.....	O.....,			

This petition must be recommended by at least two
 Royal Arch Masons.

DIMIT FROM A CHAPTER.

To all Royal Arch Masons to whom these presents
 shall come—GREETING:

Ne varietur.

This is to certify that companion A. B. is, at the date of these presents, a Royal Arch Mason, in good and regular standing, and that having paid all dues, and being free from all charges, he is, at his own request, by the vote of the Chapter, dismissed from membership in Chapter, No...., under the jurisdiction of the Grand Chapter of.....

Given under my hand, and under the seal and by order of the said Chapter, at, this.... day of, in the year of light 59.., and of the discovery 24..

Seal of
the
Chapter.

E..... F....., Secretary.

FORM OF A ROYAL ARCH DIPLOMA.

HOLINESS TO THE LORD.

*To all Enlightened, Advanced,
Passed, Received and Acknowledged and Exalted Masons
throughout the world :
Thrice Greeting :*

WE, the Officers of the Grand Royal Arch Chapter of....., do hereby certify that the bearer, our well-beloved Companion, who hath in the margin hereof, signed his name, has been regularly admitted to the degrees of Mark, Past, and Most Excellent Master, and exalted to the

SANCTUM DOMINO.

*Omnibus Architectonibus, Illuminatis, Promotis, Expertis, Receptis et Recognitis atque Excelsis per Orbem Terrarum :
S.: S.: S.:*

Nos, Præfecti Summi Capituli Arcus Regalis [name of the state] testamur et certum facimus socium nostrum dilectissimum qui hujusce in margine, nomen suum ascripsit, post debitas constitutasque scientiæ et constantiæ probationes, gradibus Magistri Insigniti, Experti et Excellentissimi

august degree of the Holy Royal Arch, having sustained with fortitude the severe trials of skill and constancy required from all previous to their admission into this sublime Order. And as such, we recommend him to all our excellent and well-beloved Companions throughout the two hemispheres.

Given under our hands and the seal of the Grand Chapter, at, this day of, in the year of light 585., and of the discovery 238..

cumulatum esse, et in ordinem augustum Architectonum Arcus Sancti Regalis rite evectum. Eum igitur cum singulis juribus ad istos gradus pertinentibus, omnibus sociis commendamus.

In cujus rei testimonium manus nostras et sigillum Summi Capituli his presentibus apponi curavimus hac die .. mensis Anno Lucis 585., et post inventionem 238...

Ne vacet.

....., *Grand High-Priest.*

....., *Grand King.*

....., *Deputy G. High-Priest.*

....., *Grand Scribe.*

....., *Grand Secretary.*

Seal of
the
G. Chapter.

CERTIFICATE OF PROXY, FOR REPRESENTATIVE IN THE GRAND CHAPTER.

To the Most Excellent Grand Chapter of Royal Arch Masons of

This is to certify, that I have hereby appointed Companion my Proxy, to represent me as (High-Priest, King, or Scribe) of Chapter, No..., in the convocation of the Grand Chapter

of, to be holden at, on the day
of, A. L. 59..., A. I. 24...

Witness my hand at, this day of.....,
A. L. 59..., A. I. 24...

N..... O.....

Private
Seal.

..... of Chapter,
No..., R. A. M.

COMMANDERY.

PETITION FOR DISPENSATION TO FORM A NEW COMMANDERY.

To the Right Eminent Sir A. B., Grand Commander
of the Grand Commandery of Knights Templar, of the
State of

The undersigned petitioners respectfully represent,
that they are Knights Templar in good and regular
standing, and having the prosperity of the Order at
heart, are desirous of promoting its influence.

For the convenience of their respective dwellings,
and for other good reasons, they are desirous of estab-
lishing a new commandery, to be located at,
and to be known as Commandery.

They have nominated, and do hereby recommend,
Sir A. B. to be the first Eminent Commander, Sir
C. D. to be the first Generalissimo, and Sir E. F. to be
the first Captain-General of said new Commandery;
and they pray that letters of dispensation may issue
empowering them to meet and work as a regular
Commandery.

Should the prayer of the petitioners be granted, they promise a strict compliance with the statutes and regulations of the Grand Commandery aforesaid, and of the Grand Encampment of the United States, and of the usages of the order.

(This petition must be signed by at least *nine* Sir Knights of the Order, and must be accompanied by the constitutional fee, and the recommendation of the nearest commandery.)

FORM OF CERTIFICATE OF ELECTION.

BE IT KNOWN, That on the....day of....., 19.., at a Regular Meeting of Commandery, No..., held in the....of....., County of, and State of....., the following named Sir Knights were duly elected and installed Officers of the same for the ensuing year, viz.:

Sir Knight , E. Commander.

Sir Knight , Generalissimo.

Sir Knight , Captain-General.

IN TESTIMONY WHEREOF, we, the members of said Commandery, have caused the Seal thereof to
[L. S.] be hereunto affixed, and our Recorder to sign the same.

....., *Recorder.*

FORM OF CERTIFICATE FOR PROXY.

To the Grand Commandery of the State of.....

THIS IS TO CERTIFY, That in consideration of the confidence we repose in the courtesy and magnanimity of our valiant Sir Knight , we have

nominated and appointed, and by these presents do nominate and appoint, the said Sir Knight to be the *Proxy* for Commandery, No., in the Grand Commandery of the State of, and then and there to represent us and to do every act and thing agreeably to the Statutes and Regulations of the Grand Commandery, as fully and completely as the officers of our Commandery could do were they personally present.

Witness the hands of our E. Commander and Recorder, and the Seal of Commandery, this day
 [L. S.] of, A. D. 19 .., and of the Order....
, *E. Commander.*
, *Recorder.*

FORM OF PETITION.

*To the E. Commander, Generalissimo, and Captain-General of.....
 Commandery, No.....*

The undersigned represents that he has received the Degrees of Entered Apprentice, Fellow Craft, and Master Mason, in a regularly constituted Lodge; the Degrees of Mark Master, Past Master, Most Excellent Master, and the Sublime Royal Arch, in a regularly constituted Chapter; that he is a member of Lodge, No., and Chapter, No., in good standing; that he is desirous of receiving the *Orders of Knighthood*, conferred in your Commandery, and if found worthy, promises to conform to the ancient usages and customs of the Order.

My place of residence.....; my age ...years
my occupation.....

....., 19...

A.... B....

Recommended by }
 }

FORM OF DEMIT.



"IN HOC SIGNO VINCES."

*To all Sir Knights of the Illustrious Order of Red Cross, and of the
Valiant and Magnanimous Orders of Knights Templar and
Knights of Malta, to whom these presents may come—GREETING:*

No varietur. THIS IS TO CERTIFY, That Sir Knight,
whose name appears in the margin of this *Demit*,
is a KNIGHT TEMPLAR, and was a member of
Commandery, No..., in good standing, and free
from all charges on the books, and as such we do
courteously recommend him to the fraternal re-
gard of all valiant and magnanimous Sir Knights,
wherever dispersed.

IN TESTIMONY WHEREOF, we have hereunto set our
hands, and caused the Seal of our Command-
[L. S.] ery to be affixed, this.....day of....., in the
year of our Lord 19., and of the Order 7...
....., E. C.

Attest:

....., *Recorder.*

Note.—It will be noticed that the foregoing appendix of general forms contains none of the forms pertaining to Masonic trials. All the forms used in trials will be found in their appropriate connection in the body of this work, and can be readily found by reference to the appropriate heads, or to the General Index.



INDEX.

A.

	PAGE
Accused, service of summons and charges upon.....	40-187
“ “ notice to take proofs upon.....	52
“ “ “ of report of com. upon.....	194
“ “ “ judgment upon.....	81-150-200
“ may appear by counsel.....	49-147-189
“ entitled to speedy and impartial trial.....	104
“ upon what degree to be tried.....	22-143-144-175-182
“ may object to commissioners.....	52-188
“ under suspension, can only appear in Lodge by counsel.....	50
“ <i>status</i> of, while under charges.....	43-99-101-128
“ “ “ “ suspension.....	74-150-199
“ “ “ “ expulsion.....	72-150-199-244
“ “ not affected by reprimand.....	76
“ “ “ “ if no sentence passed.....	80
“ “ upon reversal of judg't on appeal..	110 to 115
“ right of, to vote, while under charges.....	43
“ cannot be witness, but may make any statement or explanation on the trial.....	61
“ cannot be present at final deliberation and ballot.....	65-68
“ when W. M. to appoint counsel for.....	49-50
“ entitled to counsel.....	43-147-189
“ when W. M. may appoint counsel for.....	43
“ service of notice to take proofs upon.....	52
“ “ “ of report of com. upon.....	194
“ service of notice of judgment upon.....	81-150
“ what must be standing of.....	34-148-183
“ should be member of the body wherein he prefers charges.....	34-183

	PAGE
Accused, cannot vote nor be present at final deliberation and ballot.....	50-68-149
Adjourn, Commandery may.....	243
Amendments.....	33-101-147-198
Ancient Charges.....	272-273
" Constitutions.....	266
" Craft Masonry, tribunals in.....	21-129
" Landmarks.....	254
" rules and precedents should be followed.....	95
Anno Domini, Date of, when used.....	302-304
" <i>Depositionis</i> , " " " 	302-304
" <i>Inventionis</i> , " " " 	302-304
" <i>Lucis</i> , " " " 	302-304
" <i>Mundi</i> , " " " 	302-304
" <i>Ordinis</i> , " " " 	302-304
Answer should be in writing.....	44
" to be filed.....	44
" if oral, to be recorded.....	44
" denying jurisdiction.....	44
" " validity of charges.....	45-46
" to the merits.....	47-49
" of <i>not guilty</i>	47
" of <i>guilty</i> as to part, and <i>not guilty</i> as to another part.....	48
" admitting the facts, and alleging justification.....	48
" in the Lodge.....	44
" " Chapter.....	144-146
" " Commandery.....	188
" to appeal.....	88-204
" failure or refusal of accused to.....	50-61
" amendment of.....	101
Appeal, Constitutional provisions relative to..	163-175-217-228
" Landmarks, etc. " " 	241-260
" Powers of Grand Master relative to	129
" " " High-Priest, " " 	151
" " " Commander " " 	206
" form of, in Lodge.....	87

	PAGE
Appeal, form of, in Chapter.....	151
“ “ “ Commandery.....	202
“ “ from Grand Master to Grand Lodge.....	99
“ “ “ “ Commandery to Grand En- campment.....	207
“ motion to dismiss.....	94
“ notice of, in Lodge.....	85
“ “ “ Commandery.....	201-202
“ answer to, in Lodge.....	88
“ “ “ Commandery.....	204
“ does not lie from W. M. to the Lodge.....	90
“ “ “ H. P. to the Chapter.....	176-177
“ “ “ E. C. to the Commandery..	201-233-241
“ “ “ G. C. to G. “.....	206
“ “ “ G. Chapter to Gen. G. Chapter 150-156-157-175	
“ “ “ ballot for degrees or membership 93-151-201	
“ when it lies from Lodge to Grand Master....	89-90-129
“ “ “ “ “ Lodge only, 89-90-129	
“ “ “ Chapter to Grand High-Priest....	150
“ “ “ G. G. H. P. to Gen. Grand Chap....	163
“ “ “ “ “ Chapter only.....	151
“ may be taken from chair in Grand Encampment....	217
“ right of, inalienable.....	84-260
“ any member or party may.....	84
“ upon what grounds may be taken.....	84-85
“ trial of, in Grand Lodge.....	94 to 98
“ “ “ Chapter.....	151-152
“ “ “ Commandery.....	205 to 209
“ Grand Body may affirm, reverse, or modify decision on.....	98
“ Grand Body may grant new trial on.....	98
“ when matters of form considered upon trial of....	95
“ new proofs admissible on trial of. ..	96

	PAGE
Appeal, new proofs, notice of, to be given on trial of.....	96
“ court of, powers and nature of	97-125
“ <i>status</i> of accused when decision of Lodge affirmed.	98
“ “ “ “ “ reversed on.....	110 to 113
“ “ “ “ new trial granted on.....	99-101
“ may be repeatedly taken.....	103
Appearance of parties by counsel	43-49-147-189-207
“ “ accused when under suspension.....	50
Appendix of general forms.....	305
Argument, of the.....	62
Arrest of charter by Grand Master.....	123
“ “ “ “ form of	123
“ “ “ High-Priest	152
Assessments, Grand Commander may make.....	245

B.

Ballot, must be upon degree of M. M. in Lodge.....	68
“ “ “ R. A. M. in Chapter.....	149-175
“ “ “ K. T. “ Commandery... ..	182
“ taken first upon question of guilt.....	68
“ should be cast upon each specification separately....	69
“ to be secret.....	68-69
“ ball, more Masonic.....	69
“ order of, upon penalty.....	79
“ result of each, to be recorded.....	70-80
Boundaries of jurisdiction.....	27-119-144-183
Business, in matters of general, appeal lies to G. Master... ..	89-136
By-Laws, each organization has exclusive jurisdiction over	
its own.....	29-120-144
“ for infliction of punishment without trial void....	78
“ charges for violation of, must specify section....	39-40
“ are evidence of themselves.....	54

C

Candidate, qualifications of... ..	174-236-244-245-262-266-271-274
Chair, succession to, in Lodge.....	25
“ “ “ Chapter	143-162-173

INDEX.

331

PAGE

Chain, succession to, in Commandery.....	182-234
“ “ “ Grand Chapter.....	162-172
“ “ “ “ Commandery.....	229-230
“ “ “ “ Encampment.....	213
Chapter, trial in.....	138
Charges of a Freemason.....	276
“ of the.....	32
“ must be in writing.....	32
“ “ clear and certain.....	32
“ who may prefer.....	34-148-183
“ who subject to.....	28-29-30-35-144-183
“ Worshipful Master exempt from, in his Lodge.....	28
“ Grand “ “ “	29
“ when to be read.....	33-186
“ amendment of	33-147
“ frivolous, not to be entertained.....	35
“ when W. M. may dismiss.....	35
“ form of in Lodge.....	36
“ “ “ for non-payment of dues.....	39
“ “ Chapter.....	145
“ “ Commandery.....	184-185
“ “ against a W. M. in Grand Lodge.....	122
“ “ “ Lodge “ “	121
“ Grand Master may suspend W. M. on filing of.....	123
“ “ “ arrest charter “ “	123
“ copy of, to be served on accused.....	40-144-186
“ service of, to be personal, if practicable.....	41
“ “ when at last place of residence.....	41
“ “ not necessary if accused absconds.....	43
“ who may serve.....	41
“ certificate of service of.....	41
“ accused must answer to.....	44-188
“ status of accused while under.....	43-99-101-128
Charter, Lodge has no judicial powers without.....	22
“ form of order arresting.....	123
“ who to grant.....	123
Christianity, Knight Templar must believe in,	247

	PAGE
Commander, Grand (See Grand Commander.)	
Commandery, general forms used in.....	322
" dispensation for new.....	322
" " " petition for.....	323
" dimit from.....	325
" certificate of election in.....	323
" " " proxy to Grand.....	323
" petition for orders in.....	324
" charges in.....	184-185
" " " answer to.....	188
" jurisdiction of.....	181-182-183
" " " over general Masonic offences.	181
" " " Knight of Red Cross subject to	183
" trial in	178
" " who competent to sit upon.....	182
" " follows general analogies of Mas. law	179
" " of Knight of Red Cross.....	182-183
" " majority vote convicts on.....	199-233
" " Proofs upon.....	190 to 194
" " Grand.....	205 to 207
" expulsion from.....	199-244
" " " effect of.....	199-244
" suspension from.....	199-245
" " " effect of.....	199-245
" appeal from, to Grand Commandery.....	201-207
" Grand, Constitutional powers and jurisdiction	
of.....	224
" Grand Officers of.....	225
" " appeal from, to Grand Encampment..	207
Commissioners to take proofs on trial.....	51-52-148-186-190
" notice to.....	51-186
" summons to testify before.....	57-189
" notice of meeting of.....	52-53
" minutes and report of.....	58-59-191-195
" not to report opinion in Lodge.....	58
Committee to take proofs in Commandery.....	186-188
" notice to....	51-186

	PAGE
Committee, proofs, how taken by.....	58-148-190
" minutes of.....	58-190-191
" report of.....	59-148-195
" to report both facts and opinion in Commandery	197
" reference of appeals to, in Grand Lodge.....	94
Consent of nearest Chapter for new Chapter.....	314
Constitutions, ancient	266
Constitution of General Grand Chapter.....	155
" " Grand Encampment.....	213
Contract, when Masonry takes cognizance of breach of....	17
Costume of Knight Templar.....	250
Counsel, when W. M. may appoint.....	43-49-50
" who may be, on trial in Lodge.....	43
" " " " Chapter.....	147
" " " " Commandery.....	189
Crimes, Masonic	15-142-181
" " nature and enumeration of.....	15 to 20

D.

Dates, Masonic.....	302
Degree, on what, accused must be tried	22-143-144-175-182
" " ballot to be taken.....	68-149-175-182
Deliberation, of the.....	65
Dimit, form of, from Lodge.....	311
" " " Chapter.....	319
" " " Commandery.....	325
Dispensation for new Lodge.....	306
" " Chapter.....	315
" " Commandery.....	322
" petition for, Lodge	305
" " Chapter.....	313
" " Commandery.....	322
" recommendation for, Chapter.....	314
" Lodges under, have no judicial powers	23
" Chapters " " " " 	143

	PAGE
Dispensation, Commanderies under, have no judicial powers	182
Dues, one under suspension or expulsion not subject to....	72-75
“ non-payment of.....	19-38-39
“ “ “ charges for.....	39
“ of subordinate to Grand Bodies.....	166-235

E.

Edicts and decisions of Grand Encampment.....	241
“ “ usages of Royal Arch Masonry.....	173
Encampment, Grand, edicts and decisions of.....	241
“ “ jurisdiction of	180-210-216
“ “ Constitution of.....	213
“ “ officers of.....	213-214
Entered Apprentices, subject to penal jurisdiction.....	29-30
Evidence, how taken in Lodge trials.....	58
“ “ “ Chapter “	148
“ “ “ Commandery trials.....	190
“ records of Lodge are	54
“ Constitution and By-Laws are.....	54
“ best, must be produced.....	54
“ hearsay, <i>generally</i> , not admissible.....	54
“ new, on trial of appeal.....	96
“ “ notice of	96-97
Exclusion, W. Master's power of	78
“ of visitors from trials.....	23-68-143
“ of parties and counsel from final ballot.....	68-149
Expulsion, penalty of.....	71-72-149-199-244-245
“ effect of, by Lodge	71-72-149-199-245
“ “ “ Chapter.....	149-150
“ “ “ Commandery	199-244-245
“ by what vote sentence of, passed in Lodge.....	79
“ “ “ “ “ Chapter	149
“ “ “ “ “ Command'y.	199
“ <i>status</i> of one under sentence of	72-150-199-244

F.

	PAGE
Fellow Craft, subject to penal jurisdiction	29-30
Fines, not a lawful Masonic penalty	78
Form of answer to charges in Lodge.....	44-46-47-48
“ “ “ Chapter	146
“ “ “ Commandery	188
“ “ appeal in Lodge.....	88
“ “ “ Commandery.....	204
“ charges and specifications in Lodge.....	36 to 39
“ “ “ Chapter.....	145
“ complaint “ Commandery	184-185
“ certificate of service of charges.....	41
“ “ membership.....	311
“ “ election in Commandery.....	323
“ “ proxy “ “	323
“ “ “ “ Chapter.....	321
“ “ “ to constitute new Chapter...	318
“ “ “ “ “ Lodge	308
“ dimit from Lodge	311
“ “ Chapter.....	319
“ “ Commandery.....	325
“ dispensation for new Lodge	306
“ “ “ Chapter	315
“ “ “ Commandery.....	322
“ diploma, Royal Arch.....	320
“ denial of jurisdiction	44
“ “ validity of charges.....	46
“ motion to dismiss appeal.....	94
“ notice to Commissioners.....	51
“ “ Committee.....	51
“ “ of appeal in Lodge	85
“ “ “ Commandery.....	202
“ “ to take proofs	53-187
“ “ of decision.....	81-82
“ “ report of committee.....	194
“ “ judgment.....	81-82-200

	PAGE
Form of order arresting charter.....	123
" " suspending W. M.....	124
" petition for dispensation for new Lodge	305
" " " " Chapter.....	313
" " " to confer degrees.....	309
" " initiation	309
" " membership.....	310
" " capitular degrees	319
" " orders of knighthood.....	324
" recommendation for dispensation	314
" report of Commissioners	59-195
" " Committee	195
" resolution in Commandery.....	197
" government, Masonry takes no cognizance of	15-16
" summons to accused in Lodge.....	40
" " " Commandery	187
" warrant of constitution.....	316
Forms, appendix of general, for Lodge.....	305
" " " Chapter	313
" " " Commandery	322
" of various specifications.....	37-38
Form, matter of, when material	95
" " " not material	95
Free-born, candidate must be.....	202

G.

General assemblies.....	117
" Grand Chapter of the U. S.....	140-141
" " " " contsitution of.....	155
" " " " officers of.....	158
" " " " jurisdiction of...140-141-156	
" " " " no appeal to, 150-156-157-175	
" " " " powers of, limited	156
God, duty to, charges concerning.....	276
Government, Masonic, form of.....	91
" of country to be obeyed.....	16
" Masonry takes no cognizance of forms of....	15-16

	PAGE
Grand Chapter.....	150-163
“ “ officers and jurisdiction of.....	163 to 167
“ “ appeal to.....	150
“ “ is tribunal of last resort	150
“ Commandery.....	183-224-241
“ “ officers and jurisdiction of	224-231
“ “ appeals to.....	201 to 207
“ “ “ from, to Grand Encampment..	207
“ “ owes allegiance to	236-237
“ Lodge, nature of.....	117
“ “ jurisdiction and powers.....	117 to 121
“ “ is sovereign, within Landmarks	119
“ “ owes allegiance to no superior.....	118
“ “ is tribunal of last resort	22-118-119
“ “ appeal to.....	84
“ “ “ right of, inalienable	84
“ “ “ form of	87
“ “ “ “ from G. M.....	99
“ “ “ notice of.....	85
“ “ “ answer to	88
“ “ “ trial of.....	94 to 99
“ “ “ action upon	98
“ “ charges in, against Master	121-122
“ “ “ “ Lodge.....	121
“ “ has exclusive jurisdiction over W. M.....	29-123
“ “ “ general “ “ the craft	119
“ “ “ original “ “ offences.....	120
“ Master, powers of, in trials and appeals.....	129
“ “ may suspend W. M.....	124
“ “ “ arrest charter of Lodge.....	123
“ “ “ convene G. L. specially.....	125
“ “ “ grant new trials	126
“ “ appeals to, when proper.....	89-90-136
“ “ “ “ improper.....	89-90-136
“ “ “ from, to Grand Lodge.....	99-100
“ “ petition to.....	126-305-309
“ “ dispensations from.....	306

	PAGE
Grand Master proxy.....	309
“ “ order of, suspending W. M.....	124
“ “ “ arresting charter of Lodge.....	123
“ “ “ for new trial.....	127
“ “ of Grand Encampment, powers of.....	218
“ Commander, powers of.....	238-242-245
“ “ Grand Encampment only can try.....	183
“ High-Priest, powers of.....	152-164-176
“ “ General, powers of.....	159

H.

Head of the Craft, Grand Lodge is the supreme.....	119
“ “ “ Grand Master in <i>interim</i>	184
“ “ Lodge, W. M. is	23-24
High-Priest, office and powers of	143-169-176
“ “ “ Grand.....	152-164-176
“ “ “ General Grand	159
Honorary members not entitled to ballot	68-243-250

I.

Initiations, qualifications for.....	262-266-271-274
Innovations, cannot be made in Masonry.....	265

J.

Jurisdiction of Lodges.....	27 to 31
“ “ Grand	119 to 121
“ Chapters.....	144-176
“ “ Grand.....	151-163-177
“ “ General Grand.....	140-156-157-175
“ Commanderies.....	181-183-236-241-243 246-249
“ “ Grand	180-227-245
“ Grand Encampment.....	180-210-216-231
“ boundaries of.....	27-119-144-183
“ territorial	27-144-183
“ personal	27-28-183

	PAGE
Jurisdiction, when original.....	120-183
“ “ appellate	120
“ “ exclusive	120
“ “ concurrent.....	120

K

Knighthood, Masonic.....	178-247
“ “ origin and nature of.....	178-247
“ “ relation of, to symbolic Masonry.....	179
“ “ orders of, highest division of York rite	179
“ “ “ are Christian.....	178-247
Knight of Red Cross, subject to penal jurisdiction.....	183
“ “ where and how tried.....	182
Knight Templar, costume of.....	250
“ “ trials must be upon order of.....	182
“ “ only, competent to sit upon trial.....	182
“ “ charge against.....	184
“ “ effect of sentence upon.....	199-244-245

L

Landmarks, Ancient.....	254
“ “ what they are.....	254
“ “ are the supreme law.....	254
“ “ “ unalterable.....	254-265
“ “ legend of 3d degree is one of.....	255
Lodge.....	21-259
“ is Masonic tribunal.....	21
“ who to preside in.....	24 to 26
“ U. D. has no judicial powers.....	22
“ trial in.....	11
“ “ must begin at regular communication.....	22
“ jurisdiction of.....	27
“ “ boundaries of.....	27-28
“ “ territorial.....	27
“ “ personal.....	28
“ “ when exclusive.....	29

	PAGE
Lodge, jurisdiction of, when concurrent with G. L.....	120
“ “ over E. A. and F. C.....	29
“ “ “ non-affiliants.....	28
“ “ “ sojourners.....	28
“ charges in.....	33
“ “ answer to.....	44
“ appeal from, to G. L. (see Appeals).....	84
“ “ “ form of.....	87
“ “ “ notice of.....	85
“ “ “ who may take.....	84
“ dispensation for new.....	306
“ “ “ petition for.....	305
“ proxy to constitute new.....	308
“ petition for initiation in.....	309
“ “ membership in.....	310
“ has inherent power to admit or reject.....	93-111
“ ballot in, how taken.....	69-79
“ “ must be on 3d degree.....	68
“ dimit from.....	311
“ accused may vote in.....	43
“ new trial in.....	101
“ charges against.....	121
“ “ “ W. M. of.....	121-122
“ Grand Master may arrest charter of.....	123
“ “ “ suspend W. M. of.....	123
“ cannot try its W. M.....	28-121
“ Grand (see Grand Lodge).....	
“ is a judicial body.....	21-23
“ punishment of.....	126
Limb, loss of, debars from order of K. T.....	244

M.

Man, candidate must be a (see Candidate).....	262-274
Makings, ancient charges at.....	273
Mason, standing of, while under charges.....	43-99-101-128
“ “ “ suspended.....	74-150-199

INDEX.

341

	PAGE
Mason, standing of, while expelled	72-150-199-244
“ “ when new trial pending.....	99
“ “ not affected till sentence passed.....	80
“ may testify on honor.....	55
Master, Grand (see Grand Master)	129
“ “ of Grand Encampment, powers of.....	218
“ Worshipful (see Worshipful Master).....	23
“ past, when may preside.....	25-26
“ “ mark, and M. E., subject to discipline.....	144
Members, only, can vote on trials.....	68
Membership, how affected by expulsion.....	71-72
“ “ “ suspension.....	71-74
“ how restored.....	105 to 116
“ Lodge has exclusive control of.....	93-111
“ Chapter “ “	151
“ Commandery “ “	201
“ honorary, rights of	68-243-250
“ dues accrue only during	75
Minutes of trial to be full and accurate.....	44-52-70-190-193
“ errors in, may be corrected.....	54
Motion to dismiss appeal.....	94

N.

New trials, of.....	101
Non-affiliants subject to penal jurisdiction.....	28
Notice of appeal to Grand Lodge.....	85
“ “ “ Commandery	202
“ to commissioners.....	51
“ to take poofs.....	53-187
“ of decision.....	81-82
“ of judgment and sentence.....	81-82-200
“ of expulsion to Grand Lodge.....	81

O.

Obedience to municipal law	15-16-17
“ moral law.....	15-16

	PAGE
Obligations, any violation of, an offence.....	15-19
" inferior, binding in higher degrees.....	142-181-182
Offence, of the.....	15
" what is Masonic.....	15 to 20
" when violation of statute is Masonic.....	17
Offences, of what Masonry will not take cognizance.....	16-18
" enumeration of.....	18-20
" political.....	16
Offender, can be punished but once for same offence.....	28-31
Officers of Chapter, their duties.....	168-169
" " Grand, their duties.....	163
" " General Grand, their duties.....	158
" Commandery, their duties.....	232
" " Grand, their duties.....	225
" Grand Encampment, " ".....	213 to 224
" resignation of.....	241-245
Opening of Lodge, who must be present at.....	25-26
" Chapter " ".....	143-173
" Commandery " ".....	182

P.

Papers to be sent up on appeal.....	86-99-151-202-207
Past Master, when may preside at trial.....	26-27
" " subject to penal jurisdiction.....	144
" High-Priest, when may preside.....	143-173
" Commander, " ".....	182-234-250
Petition for dispensation for new Lodge.....	305
" " " Chapter.....	313
" " " Commandery.....	322
" " to confer degrees..	309
" new trial.....	126
Physical defect debars.....	174-244-262-266-271-274
Powers of Grand Master in trials and appeals.....	129
" Master in trials.....	21-24-35-51-52-136
" High-Priest.....	143
" Commander.....	182-186-199-201

INDEX.

343

	PAGE
Powers of Grand Lodge are plenary.....	119
"Previous question" has no place in Masonry	242
Prerogative of Grand Master.....	134-136-256-257-258
" W. M.....	90 to 93
Proofs, of the.....	51-148
Punishment, Masonic.....	71-149-198
" cannot be inflicted without trial.....	39-77-78
" by fine unlawful.....	78
" by mere resolution unlawful.....	77
" of expulsion.....	71-72-149-199-244-245
" vote required for.....	79-149-199
" effect of.....	72-149-199-244-245
" <i>status</i> while under.....	72-199-244
" restoration from.....	105-152-244
suspension.....	71-74-149-199-245
" vote required for.....	79-149-199
" effect of.....	74-149-196-245
" <i>status</i> while under.....	74-199-243
" restoration from.....	105-152
reprimand.....	71-76
" vote required for.....	79
" does not affect standing.....	76
conviction without, does not affect standing...	80
kind of, discretionary	79
but one, can be inflicted.....	79
of Lodge.....	121-123-126
" Grand Master.....	121
" Worshipful Master.....	28-90-121-122-124
by municipal court does not bar Masonic prosecution for same offence	31
Profane cannot prefer charges against a Mason	34
" testimony of, how taken	55
Publication of sentence is unmasonic.....	83

Q.

Qualifications of candidates...174-236-244-245-262-266-271-274
--

R.

	PAGE
Recognition, modes of.....	255
Reconsideration of ballot unlawful.....	70
Records evidence of themselves	54
" may be corrected if erroneous.....	54
Regulations, General	285
Rejection, Lodge has absolute power of.....	93-111
Religion, concerning God and.....	276
Report of Commissioners, form of.....	59-148-195
" " notice of.....	194
Representative body, Grand Lodge is.....	117
Representative's certificate.....	312
Reprimand is mildest Masonic punishment.....	76
" how administered	76
" does not affect standing	76
" majority vote sufficient for	79
" no distinction between public and private	77
" can only be inflicted after due trial	39-77-78
Resign, any officer of Commandery below E. C. may.....	245
" Eminent Commander cannot.....	241
Restoration, of.....	105
" by act of law.....	105
" " Lodge	106
" " Grand Lodge.....	110
" from sentence of expulsion.....	105-152-244
" " " suspension.....	105-152
" by Grand Lodge, effect of.....	110
" petition for.....	108
Right of appeal (see Appeal).....	84-163-175-217-228-260
" " is inalienable.....	84-260
" " belongs to every Mason.....	84
Roll, striking from, improper.....	78
Rules, similar general, govern all Masonic trials.....	12-138-179

S.

Secret, ballot to be.....	68-69
Secretary to make return on appeal.....	86-99

INDEX.

345

	PAGE
Sentence, effect of.....	71-72-74-76-149-199-244-245
“ how affected by appeal	98-99-101-110-113
“ “ “ reversal on appeal.....	110 to 113
“ Lodge may refrain from inflicting any.....	80
“ standing of accused not affected until.....	80
Senior Warden, when to preside.....	25
Specifications, forms of.....	36-38-145-184-185
Standing of accused under charges.....	43-99-101-128
“ “ “ sentence of expulsion	72-150-199-244
“ “ “ “ suspension...74-150-199	
“ “ “ “ reprimand	76
“ “ “ conviction, without sentence....	80
“ “ “ new trial pending.....	99-152
Suspension, punishment of	74
“ “ “ by what vote passed.....	79
“ definite, effect of.....	74
“ indefinite “ “	74
“ restoration from	74-105
Succession to chair in Lodge	25
“ “ “ Chapter.....	143-162-173
“ “ “ Commandery.....	182-234
“ “ “ Grand Chapter.....	162-173
“ “ “ “ Commandery.....	229-230
“ “ “ “ Encampment.....	219
Summons, W. M. to issue.....	57
“ disobedience of, an offence.....	56-145-189
“ form of, to testify before Lodge.....	57
“ “ “ “ Commissioners.....	57
“ “ “ “ Com. of Commandery..	189

T.

Templar jurisprudence.....	178-241
“ costume.....	250
Time, appeal to be made within what	85-201
Testimony (see Proofs, Evidence).....	51

	PAGE
Trial in Lodge (see Lodge).....	11
" Chapter	138
" Commandery (see Commandery).....	178
" Grand Lodge	94-117
" new, when granted.....	98-101
" " proceedings in	101
" no punishment lawful without	39-77-78
" who competent to sit upon, in Lodge	25-68
" " Chapter	142-149-175
" " Commandery.....	182
" who to preside at	25-143-162-173-182-219-229-230 234
Tribunal, of the	21

U.

Unanimous vote required to restore from expulsion.	108-152-244
Unaffiliated Masons subject to discipline	28-144-183
Unwritten Landmarks.....	254

V.

Visitors, not admitted during trial	23-68-143
Vote, upon trial, to be by ballot.....	68-69
" " to be secret.....	68-69
" " who to inspect and declare.....	70
" " " entitled to, in Lodge.....	25-68
" " " " Chapter	142-149-175
" " " " Commandery	182
" to be taken on each specification separately.....	69
" " recorded	70
" parties or counsel not to be present at taking of. .	65-68-143
" two-thirds required to expel in Lodge.....	79
" " suspend in Lodge.....	79
" " expel in Chapter	149
" " suspend in "	149
" majority, may reprimand in Lodge or Chapter...	79-149

INDEX.

347

PAGE

Vote, Commandery expels, suspends, or reprimands by majority	199-233
“ Commandery restores from expulsion by majority	244
“ “ “ “ suspension “	244
“ “ “ to membership only by unanimous	244

W.

Wardens, when to preside	25
Warrant of Constitution	316
Wife and children of expelled Mason not entitled to relief ..	72
Witness, who competent	55
“ how attendance of, procured	57-189
“ summons for, forms of	57-189
“ not required to criminate himself	61
Worshipful Master, his powers in trials	23
“ “ to preside at trial	24
“ “ appoints commissioners	24
“ “ “ counsel	24
“ “ no appeal from, to the Lodge	24
“ “ Lodge cannot try	28-90
“ “ responsible to Grand Lodge	29-92
“ “ “ “ Master	29
“ “ Grand Master may suspend	123
“ “ charges against	121-122
“ “ to issue summons	57
“ “ when may dismiss charges	35-104
“ “ to enforce a speedy trial	104
“ “ may exclude visitors	78
“ “ appeal lies from rulings of, to G. L.	84

Y.

Years, Masonic (see Masonic Calendar)	302
York Constitutions	266



LIBRARY OF CONGRESS



0 027 292 545 8